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APOLOGETICS AND DOGMA.

WHAT I have to say in this paper has arisen in a large measure out of a perusal of Father Tyrrell's latest work, *The Faith of the Millions*. That title does not in reality represent the contents of the volumes, nor was it the first name under which they appeared. The first copies were called "A More Excellent Way," from the subject of the first essay, but were withdrawn, because that title had previously been employed by some one else. The essays that are included in this collection touch on a great variety of matters, but are in the main the outcome of one or two principles; and it is with these rather than with any single subject that my interest lies. Their drift is apologetic, and their aim is twofold. While on the one hand he is desirous of making the Church better known so that "men may find in her the true answer to the present problem concerning the necessity of a revealed religion for the preservation of society, and for other social problems as well,"[1] on the other he is anxious to do away with, or at least soften down and limit, a style of controversy which delights "in talking over the heads of our readers and hearers, and in not sparing sonorous polysyllables, abstruse technicalities, or even the pompous parade of syllogistic arguments with all their unsightly joints sticking out for public admiration."

> . . . . "and let the hunger be appeased,
> That with great craving long hath held my soul
> Finding no food upon earth. This well I know,
> That if there be in heaven a realm, that shows

[1] Vol. I, p. 21.

In faithful mirror the celestial Justice,
Yours without veil reflects it. Ye discern
The heed, wherewith I do prepare myself
To hearken; ye the doubt, that urges me
With such inveterate craving." [2]

There is a hunger for God and religion, that binds man to God, in the world. The old ideas have been displaced; God has been dethroned; but the goddess of reason and humanity insufficiently fills His place; those who drove Him from His throne in the human heart are passing away, but their disciples are discontented with the substitute that was provided for them. It is right, indeed, to insist that man as man is not destined to the close and intimate union with God that is the heritage of the supernatural creed of Christianity, but the soul of man, as he now exists, is, even in a truer sense than that of Tertullian's, *naturaliter Christiana*. For long generations in mind and heart, he has been imbued with the conviction that there is an unseen world that far surpasses in excellence and beauty any merely natural beatitude that might conceivably have been his lot under less advantageous circumstances. The Christian revelation of what eye hath not seen, nor ear heard, of what it hath not entered into the heart of man to conceive, has created in him an appetite, a hunger, that remains, even though the revelation itself has been rejected; and there is no satisfaction for this hunger but in the truth that first caused it to spring up in the heart. Here is one main source of this natural craving after something better than science or religious systems of human origin can give. Man has, written in his heart, strange hieroglyphics, the interpretation of which is only found in divine revelation. The work of the apologist is to solve the puzzle, to read the hieroglyphics by opening up to him the hidden things of supernatural religion.

St. Thomas,[3] when he took upon himself the defence of the Catholic truth against the unbelievers of his day, declared his intention in these words: "Assumpta igitur ex divina pietate fiduciâ sapientis officium prosequendi, quamvis proprias vires excedat, propositum nostrae intentionis est veritatem quam fides

[2] Par. XIX, 23, etc. Cary's translation.
[3] *Contra Gent.*, l. I, c. ii.

Catholica profitetur, pro nostro modulo manifestare, errores elimanando contrarios. Ut enim (De Trin., I, 37) verbis Hilarii utar ego hoc vel praecipuum vitae meae officium debere me Deo conscius sum ut eum omnis sermo meus et sensus loquar." But he pointed out two great obstacles that obstructed his path. And the first was insufficient acquaintance with the various "dicta sacrilega" of the opponents of Christianity which made it a difficult, if not impossible, task to argue from what they themselves admitted to the destruction of their views; yet this was the method that the Fathers of old used in fighting against the errors of the Gentile world; for they knew them well, either because they themselves had been heathens, or at least had dwelt amongst them. And the second obstacle that confronted him was the case of the Mohammedans and Pagans, where there was no common ground of Scripture whose authority they would admit and by which they might be overcome. He was, therefore, compelled to have recourse to human reason which yet falls short in things divine.

All will readily admit that there is a danger that the popular Catholic apologist of the present day should enter on his difficult task with an insufficient knowledge of his opponents' position, and with an array of arguments based upon principles which they do not admit. These two great obstacles still beset the path of any one who is desirous of opening out to an unbelieving world the truths of Christianity. Indeed, they may be said to have grown to such an extent that they have brought back the contest to the conditions by which it was governed in the days of universal paganism, not an actively persecuting paganism, but a cultured, scoffing paganism. Since the days of St. Thomas a mighty change has been wrought in the world of thought. He left theology much more developed than he found it. He wedded contemporary science (I speak of him as representing the best elements of scholasticism) to Christianity in all its beauty, so that the two became one. It would not be an exaggeration to say that he has left a deeper impress upon theology than any other non-inspired writer. It is quite unsuspected by many that his hand, then nearly three centuries in the grave, had more influence in moulding the decrees of the Council of Trent than that of any then

living theologian. We may take it as a merciful dispensation of Providence that the Council was held before St. Thomas had been made use of as a party name to uphold doctrines and opinions to which he was in many instances quite a stranger. But this harmony between science and faith did not survive the hard shock of humanist reaction, closely followed as it was by the Reformation. If theology had had to deal with the Renascence alone it might have kept pace with human science; but while the Church was as yet hardly aroused to this new and startling revival of pagan sentiment, while struggling to assimilate in it what was good, and running no small risk to her purity and holiness in the process, it was all but overwhelmed by the flood of heresy from Northern and Central Europe. Her theologians henceforth for centuries had but one duty before them—to sweep back the raging torrent of error, to hold fast to the revealed doctrines of the faith, whose existence was threatened, not by scientific discoveries and theories of the physical universe, but by the rebellion of the individual reason against the authority of revelation. But as Father Tyrrell says:

"With the Vatican Council that[4] controversy was brought to a close, as far as the Church is concerned. There she spoke her last word on the subject and turned aside to resume her function as 'the Light of the World.'"

But what a different world from the world of four centuries ago! While the Church and her theologians had been fighting her battle with heresy for the possession of the civilized world, the peoples of the world had been gradually slipping away out of the sway of the Church and heresy alike; had emancipated themselves from all submission to authority in matters of faith, and had settled down more or less contentedly in the darkness of unbelief. Especially was this the condition of those who unhappily placed their necks under the yoke of rationalizing error. When then the Church turned her light of truth to the world, the words of St. John 1 were almost realized again: "The light shineth in darkness, and the darkness comprehendeth it not."

From the time of the reconciliation between science and faith, wrought by the scholastics, the development of religious thought

[4] The Protestant.

and the development of world-thought had proceeded on lines ever diverging more and more from each other. The two main systems of knowledge have lost touch with one another to the mutual hurt of each. The theologians (of them I am particularly speaking as representing the coördinated body of religious truth as apart from individual defined dogmas) have remained in the possession of the great system bequeathed to them; but the truth, the living truth has not grown under their fostering care to the extent that might have been looked for in the light of past experience. The extrinsic reason for this sterility, if such it may be called, is undoubtedly found in the terrible battle that they fought, and so nobly fought, with the heresies of the sixteenth century. Says Father Tyrrell:[5]

"We find the Eucharistic doctrine, with its huge wealth of meaning, its complicated connections with the body of revealed truth, to a great extent unexplored, a mine of treasure hardly touched; while the single and purely (?) philosophical point of transubstantiation has filled folios. The Church's intellectual energies were expended against those who allowed the inspired writings as a common basis of argument; and so they were withdrawn from the needs of that wider non-Christian world which had to be met on the common ground of reason."

But this condition of things has not only arrested the growth of interior development in living dogmatic truth, but has moreover tended to produce a sense of unreality in much that before was real and vivid in the theology of the scholastics. To many, especially to non-Catholics, it almost seems as if whatever truth and vitality there was in the system had passed from it, and that only the external form remained. To such it is like a stately tree that has withered away, stricken by some mysterious disease, or by the lightning of heaven. It still rears its head to the skies; its branches stretch far out on every side; the channels along which flowed the life-giving sap from root to uttermost twig can still be traced; but it is a mere shell, a sign of what once was, but now is not. It has reached the term of its growth; life has gone out of it; no fruit is borne upon its branches; it merely cumbers the ground, and is fit for nothing but to be cut down and cast into the fire. The curse of formulism has fallen upon the science of scholastic theology; it has run its course, and has passed into the limbo of forgotten philosophies.

[5] Vol. I, p. 5.

This view is the result of the divorce between contemporary thought and scholasticism, and is the view of those who know something of science and enter little or not at all into the inner sense of what, externally viewed, may seem a mere "logical nightmare." Nor is it surprising that they should thus look upon scholasticism. Even apart from the conflict between the two separate theories of the world, there is always a danger of formulism, *i. e.*, of putting words in place of ideas, and ideas in place of things, in all ultra-physical knowledge:

"Granting all that the most exacting metaphysician might claim, any non-analogous ideas we can form of the other world, are necessarily of the thinnest and most uninstructive description; and it is only by liberal recourse to analogy that we can put any flesh on their bare bones. Whatever shred of truth they convey to us may, or rather must, like all half evidence, get an entirely different complexion from the additional mass of truth that is hidden from us. When, however, we begin to supplement by use of analogy, and (*e. g.*) to cover the bare notion of a first cause by clothing it with all the excellencies of creation, multiplied to infinity, purified of their limitations, and fused into one simple perfection, then we must frankly own that we are trying to comprehend the incomprehensible, to equal a sphere to a plane." [6]

But when in addition to this stumbling-block we further suppose the inquirer to be encumbered with the terminology and ideas of another and totally distinct science, the difficulties to be encountered in the effort to establish a harmony of view are multiplied many times over. The new learning, modern science, has grown to maturity quite as unshackled by the authority of theology as the pagan learning of the ancient world. The modern mind has freed itself from all prejudices in favor of even the barest outline of religious truth; it has by a necessity of human nature put forth its views in a system of philosophy, wrapped them up in the swaddling clothes of new formulæ. It is not wonderful then that it shrinks from contact with a system of knowledge such as that of Catholic theology, which from beginning to end is involved in the idea of the supernatural, and is furthermore clad in the language of a (to it) obsolete philosophy.

Yet here is the great work that the Catholic apologist must undertake. He has to set forth the claims of revealed truth to the homage of the human intellect, to make them acceptable to the modern world. He must harmonize nature and grace:

[6] Vol. I, p. 233.

"Thus to establish the relation of organic unity subsisting between the truth of Christ and all other truths; to abolish the wall of partition which would divide the human mind into two spheres of independent movement, the one simply natural and the other simply supernatural; to show that, as man is, historically, Christianity is the only 'natural' philosophy of life in the sense in which Augustine and Aquinas use the word 'natural'—all this requires a mediatorial two-sidedness most difficult to realize; a delicate understanding of the modes of thought and speech on either side, a rare skill of translation from one language into another; and not merely an understanding of another position, but a sympathy with the elements of truth in virtue of which it is maintained." [7]

The enterprise is arduous. In proportion as knowledge in contradistinction to wisdom grows, pedantry becomes a real danger; and though the theologian may not be a mere formulist, he may easily take the appearance of one in the eyes of those whom he seeks to attract. He clothes his thoughts in technical language which represents little beyond itself to his hearers. He is dealing with a set of ideas where it is not given to us to speak straight to the point; where what is positive is put forth in a negative form, which describes the spiritual as not material, the infinite as not finite, the simple as without parts yet not a mathematical point. And yet if he desert the form of sound words, if he attempt to express his meaning in terms taken from the world of science or philosophical thought, that ebbs and flows, forms currents and eddies around him, he may find himself cut adrift from his moorings and carried out into the open sea, the sport of every chance motion of the waves. It is a strange accusation sometimes levelled against the Church that she is sterile in philosophical development and scientific truth—a strange accusation, since she is but indirectly concerned with philosophical truth; her aim is to safeguard religious truth. Philosophy in its growth tends to be natural in character: the Church is above the nations, and her philosophy is influenced by her supernatural character and mission; she cannot undo her dogmatic system, strip herself of her time-honored modes of thought and methods of expression at the bidding of every new local school of science which is borne in prominence on the wave of popular favor. The theology of the Church and its expression in terms of philosophy partake of the stability and firmness of the foundation rock of the

[7] Intro., p. xxii.

Church herself. So the apologist must walk warily; for while manifesting to the world the beauty of the faith, he must avoid formulism and pedantry, or even the appearance of formulism, he must beware of sacrificing the truth itself in the effort to make it acceptable to the modern mind.

Truth is the primary end of the apologist; and his office in regard to it is twofold: first, to possess it himself; and secondly, to bear testimony to it with others. "Sapientis officium est veritatem divinam quae autonomastice est veritas *meditari* et *meditatam* eloqui, quod tangit Sapientia quando dicit veritatem meditabitur *guttur* meum."[8] Many who in these days take to themselves the office of apologist, forget the first part of their task,—*veritatem meditari.* They are fond of quoting the example of St. Thomas and the work he did in drawing together all the knowledge of the time into one magnificent system; how he welcomed all truth wheresoever found; how he despised no novelty, if he could perchance make use of it to form part of the great temple of truth that he was building. But they seem to forget that he first mastered the truths of revelation as developed and transmitted to him by his predecessors, the Fathers and Doctors of the Church. If he quotes Aristotle, Plato, and all the heathen philosophers, and admits them to share in his work, he quotes all Christian literature too, and looks to it for his primary inspiration and guidance. His knowledge of the theology of the day, as embodied in the Fathers and Doctors of preceding ages, was his principal qualification for his great work; and his reverence for them, his most trustworthy safeguard. It is pitiful to hear the great theologians of the Church belittled and slighted, to see them neglected and forgotten by those who wish to reconcile revelation and science. The first requisite, the absolute indispensable equipment for such a work is a clear, definite knowledge of the mind of the Church, of the *depositum fidei* which is carried in the mind of the Church, as it has developed up to the present day. It savors of Anglicanism to thrust aside the theology of the living Church, and to go back to a period anterior to the work of scholasticism to find the truth, and the means of giving it to the world. The mind of the Church is so stamped with

[8] *Contra Gent.*, l. I, c. i.

the impress of the philosophy of the scholastics that to attempt to obliterate the one would entail no small risk of obliterating the other. To take one example out of many. The Synod of Pistoia tried to simplify the doctrine of the Real Presence by the omission of all mention of transubstantiation on the ground that it was a philosophical point for schoolmen to discuss, but not of much moment otherwise; only to meet with condemnation on the ground that transubstantiation is a revealed dogma. It is true that in contact with modern thought and modern science, this mind of the Church will to a certain extent take new form, will be clothed in a new language, will wear new ornaments. But those new nuptials of theology and science will knit together the theology of to-day with the science of to-day. Should the apologist attempt to unite the historical theology of the first ages of the Church with the science of the twentieth century, he will marry the dead with the living.

"The words of the Scriptures, or the words of the Fathers upon the Scriptures, are dead words, except in so far as the Church takes them on her lips. It is her living breath that gives them their inspiration." [9]

It may be objected that much of the Aristotelian philosophy in which her great theologians embodied the *depositum fidei*, as the best means of interpreting it to their generation, has grown unintelligible now. It should therefore be cast off as worn out, as a disguise rather than as a manifestation; and revelation should be clad anew in a more modern fashion. But is it not too much to expect that the Church will discard the work that was done then? Is not the risk too great to be run? In attempting to strip off the accretions of Aristotelianism, might she not strip off what was of the substance of the *depositum?* Moreover, is there a new philosophy at hand in which she may clothe herself anew and present herself to the world? Yet some philosophy is imperatively required. "You cannot speak ten words, nor can the Church utter a single dogma without assuming some philosophy or other. And again, is Aristotelianism worn out, obsolete, effete?" [10]

[9] Vol. I, p. 200.
[10] Vol. I, p. 149.

"The Church has taken a classical philosophy which when still living—and who can say that it is dead, or will ever die, save as to its excesses and follies, so long as man's first philosophical essay is realism?—which when living attained an universality even wider than that of the Greek and Latin tongue; which was professedly the philosophy of common sense and common language; which, by reason of its childlike directness and simplicity, departed as little as possible from the fundamental conceptions common to all philosophies, and in this philosophy she eventually decided to embody her dogmas, leaving to those who should care to do so at their own risk to translate them from the mind-forms of Aristotle into the mind-forms of other thinkers, *salva substantia*." [11]

It remains then inevitable that those who would take upon themselves the burden of facing the overwhelming forces of unbelief, and winning over from them their best, must first assimilate the mind of the Church, that what they declare to others may represent what she holds. This involves a knowledge of the dogmatic theology of the Church which in a great measure is the outcome of scholasticism; and the more complete, the more searching and profound the knowledge, the greater will be the power of translating it to others. This translation is the second half of the apologist's task: —*Veritatem meditatam eloqui.* It is the other side of the problem, and not infrequently it is there the theologian fails. Indeed it is the burden of much of the criticism that has been brought to bear on the schoolmen. True, it is very often indiscriminating criticism, and therefore uncritical criticism. Too often it condemns wholesale and leaves the impression that the official theology of Catholicism is hopelessly out of date, and that the whole work of building up a coherent system of revealed religion is yet to be begun. In so far it is on a par with the sweeping condemnation of the Roman Congregations that is heard from time to time from those who would purge the Curia, as Pride purged the Long Parliament. Individual mistakes or individual immorality is made the excuse for a revolution. Every decision is looked upon with suspicion, and all are questioned because a few are questionable. It is not difficult to find examples of narrowness of mind, of pedantic folly in all professions; and it may be that the theologian is peculiarly liable to this fault. As Father Tyrrell puts it:

"There is perhaps a tendency in our miserable nature to delight in disconcerting the minds of others by a display of rare and esoteric knowledge, especially of

[11] Vol. I, p. 222.

such knowledge as owes its rarity to its abstraction and its remoteness from the wholesome concreteness of things, and which offers to minds more acute than deep a quicker road to distinction than the laborious and humble path of general education. But, after all, destructive work does not demand much genius, nor does it need more than the merest smattering of bad logic and worse metaphysics to represent the belief of simple devotion in a ridiculous light and pull down in a moment what the labor of years cannot build up again. . . . This is, of course, not the use, but the abuse of theology; it is the result of a little learning which in unskilful hands is the most dangerous of weapons." [12]

The lesson to be learned is, not to turn aside in disgust from the theology that many have such exponents, but rather to see whether the fault is not to be found in the defective knowledge and insufficient grasp of the individual. The immediate or surface result of a study of theology, or indeed of any philosophy which deals with the unseen, is formulism; and for this reason, that the hidden reality is only reached through the medium of speech, and speech is primarily material. It is the child of the imagination adopted by the intellect; and by an inexorable law of our nature we express the spiritual and intellectual λογος of the mind in the material and imaginative word of sense. It is only through language that we come in touch with thought. The theological novice therefore has his mind filled with a multitude of words such as "form," "matter," "substance," "accidents," "habits," "*simpliciter*," "*secundum quid*," and all the jargon of the schools. But this is or should be merely a passing phase, a necessary introduction into the world beyond. If indeed he stops on the threshold, and never penetrates into the inner mysteries, he is like David in the armor of Saul: his weapons are cumbersome, too heavy for his grasp; but unlike David he has no assurance of divine protection if he go to battle unequipped, if he put aside all theological armor, because he finds on first trial that it is shackling and cramps him in his endeavors. This initial difficulty should not discredit the science and system of theology itself. As well might you cast aside all modern inventions in the world of physical science, as throw away the work of ages in the divine science of theology and go back to pre-scholastic days. Let the theological novice rather pass through his noviceship to the mastery of his science; and this technical scaffolding that bears so

[12] Vol. I, p. 246.

uncouth an appearance if considered in itself, without relation to its use, will enable him to erect within his mind an edifice of truth and beauty fitted to attract the admiration of all to whom he may display it.

"You shall know the truth and the truth shall make you free."[13] The more profound the knowledge, the more tolerant; and this not because there is any occult sympathy between truth and error, but because a deeper insight into the truth enables the mind to detect even in the most erroneous system ever fashioned by human reason some glimmerings of better things. We cannot tolerate heresy; we cannot minimize the definitions of the Church; we cannot water down our faith so that it can be swallowed without grimace by Protestant or Turk; but we can find in much that is held by Protestant or Turk an affinity to what we hold to be true. And this tolerant attitude of mind, this readiness to recognize the truth wherever found, is a most necessary element in apologetics; frontal attacks are out of date. When unbelievers find that a prominent position in their rear, that they thought to be their own peculiar, undisputed possession, is occupied by the enemy, then they will much more easily be induced to surrender, than by the most formidable dialectic onslaught. It is sufficiently evident that without a thorough and complete knowledge of the mind of the Church, such a tolerant attitude might easily end in disaster. This sympathetic, this quiet and reverential handling of the modern mind, as Father Tyrrell calls it, is one of the greatest needs of our day. There are some who are in favor of a more robust method: "this quiet reverential handling of the modern mind will seem sheer disloyalty to Catholic truth in the eyes of the sledge-hammer controversialist, whose gifts are most usefully employed on the popular platform, or in 'Tracts for the Million.'"

But, nevertheless, though the days of controversy are not yet gone by, the day for calm and orderly exposition of revealed truth has come. We can do more good now, and to a greater number, by a patient unravelling of the twisted skeins of modern thought in the light of the truth of our faith, than by controver-

[13] John 8: 31.

sial victories that too often widen the chasm which they were intended to bridge over.

There is a strange assertion to be found among the condemned propositions of Michael de Molinos, the quietist. This proposition, the 64th, is that a theologian has less aptitude for the contemplative state than the peasant (*homo rudis*); and there are four reasons given, of which the last is that "he has his head so stuffed with fancies, forms, opinions, and speculations that the true light cannot shine within him." Fancies, forms, opinions, and speculations do not make up the sum of theology, but they pretty accurately describe what theology means to the outside world. It certainly cannot dispense with terminology, if it is to remain in the category of science, a matter of intellect; nor has its subject-matter undergone such a change as to render a new terminology imperative, as is the case with many other sciences. Again, its formulæ must remain more inadequate to represent the realities which are its subject-matter than those of physical science which deals with the world as it falls under the perception of sense. But in proportion as the mind explores farther and wider in its spacious realms, or as the truths enter more and more deeply into the mind, logical forms and phases, distinctions and definitions cease to cramp and confine; leading strings are no longer a necessity; crutches are thrown aside; the mind is free. It is the possession of truth that makes man free; and it is the man who has never reached the inner meaning of what is behind and beyond the language of theology, who brings undeserved reproach on theology itself; who never exercises his own mind on the truth, but overloads his memory with useless terms.

No one, except from motives of foolish pedantry, would parade the apparatus of scholastic theology to the scornful derision of the world; nor are the definitions of the Church with their rigid formulæ intended as the explanations of the doctrine they contain. They are barriers erected against the inroads of heresy and unbelief. They do not furnish the means by which the doctrine is to be preached; though they fix and hold fast the doctrine, they scientifically determine its value, so that it cannot be travestied, evaded, explained away, denied. Similarly, scho-

lastic theology does establish a certain order and method in the truths of revelation, which is simply invaluable in enabling the theologian to obtain a real grip of his science, and is the best possible guarantee that in teaching others he will not mistake form for substance, feed the people with stones instead of bread. When he has passed the stage of formulism; gone beneath the surface; filled his mind with the stores of revealed truth; so assimilated it to himself that it has become one with himself, he cannot fail to give to the people just what they are, according to the testimony of those who should know, most hungering for. All are agreed that the Catholic Church contains that which alone will satisfy the craving of the modern world. To him to whom Catholic truth is living, who has mastered and subdued unto himself what she has to teach, to him will it be given to minister to this want, not indeed by controversy, not by propounding paradoxes, not by startling with enigmas, but by so setting forth the truth in all its ordered beauty that it will appeal to the instinctive yearnings of the human heart for the beautiful and the true. "Et ideo omnis scriba doctus in regno coelorum similis est homini patrifamilias qui profert de thesauro suo nova et vetera."

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OBSERVATIONES ET CASUS SANATIONEM MATRIMONII IN RADICE RESPICIENTES.

SUGGESTIONES ad ea, quae in hujus anni primo fasciculo pp. 9–18 scripsi, a viris doctis factas[1] grato accepi et perleg animo. Eas potius ad res secundarias et accidentales pertinere ipsi fatentur, substantiam vero doctrinae meae salvam esse, non tantum iidem, sed plures quoque Rmi Episcopi agnoverunt, prout de hoc certior factus sum a Rev. Editore. Aliqua subobscura nec omnino exacte dicta esse, insuper affirmant[2] nec equidem nego;

[1] Supra, p. 70 seqq.

[2] S. V. V. Fallitur Rev. L. V. McCabe scribens, p. 75: "Father Putzer refers—*Cf.* p. 12 (2)—to certain decisions of Propaganda and of the Holy Office *to show that our Bishops have the power* of dispensing *in radice* in regard to the impediment of *disparitas cultus*; but," etc.

brevis nempe esse volui. Caeterum scriptione mea nihil aliud intendi, nisi ut per facultatem sanandi matrimonia in radice in Form. D. Art. 6 contentam et per ejus applicationem largius quam hucusque interpretatam quam plurimi etiam ex illis, qui bona fide in matrimonio invalido vivunt, participes evaderent gratiae sacramentalis, qua "efficitur, ut vir et uxor mutuae charitatis vinculo conjuncti, alter in alterius benevolentia conquiescat, alienosque et illicitos amores et concubitus non quaerat, sed in omnibus sit *honorabile connubium et torus immaculatus.*"[3] Haud pauci certe parochi ac confessarii in praxi magis versati et perspicaciores vix objicient asserenti, multos infeliciter in matrimonio convivere ea de causa, quod eorum matrimonium putatur quidem esse verum, reapse autem nullum est, ideoque gratia Sacramenti caret.

Liceat jam—sine ira et studio—quosdam casus sanationem matrimonii in radice magis dilucidantes exponere.

I. Georgius ita apud se ratiocinatur: Facultates, quae personas spectant, praesertim dispensationes iis tantum applicari possunt, qui eas, implicite saltem, acceptant; sunt enim dona, quae non valent nisi facta acceptatione donatarii. Quid dein de dispensatione matrimonii in radice? Conceditur enim non raro conjugibus putativis eam ignorantibus qui si scirent solubilitatem suae conjunctionis, dispensationem certe recusarent.

Resp. Dispensatio in radice essentialiter differt a dispensatione simplici, talisque est naturae, ut pro ejus valore acceptatio per se non requiratur. Dispensatio in radice juxta ea, quae Benedictus XIV habet in *Quaest. can.*, 529 et alibi, est legis ecclesiasticae, quae impedimentum induxit, abrogatio in casu particulari, conjuncta cum irritatione omnium effectuum etiam antea ex lege secutorum ad modum *Clementinae Quoniam* (III, 17). In hac a Clemente V exponitur, quomodo ex lege Bonifacii VIII[4] et ejus variis declarationibus propter onera, quae laici clericis imponebant, variae poenae praesertim excommunicatio fuerint decretae tum in laicos tum in clericos eis morem gerentes, et quomodo propter hoc illa lex pontificia, quia damnosa evasit, fuerit a se abrogata etiam pro tempore praeterito. "Nos," inquit Clemens V, "de consilio fratrum nostrorum Constitutionem et declarationes

[3] *Catech. Conc. Trid.*, de Sacr. Matr., n. 17.

[4] *Cf.* C. *Clericis laicos*, III, 23, in 6, et Brück, *Church History*, translated by Pruente, 2 ed., Vol. I, p. 360, et II, p. 13.

praedictas et *quidquid ex eis secutum est vel ob eas, penitus revocamus et eas habere volumus pro infectis.*" Glossa ad v. *pro infectis* ita commentatur: "Per hoc puto, quod excommunicatus ex viribus illius constitutionis (Clementis V) absolutione non egeat. Et vide quanta est Papalis potestas circa ea, quae simpliciter sunt de jure positivo, *quia revocat illa, ut ex tunc.*"

Potest ergo S. Pontifex legem sancire, potest etiam legem a se aut alio suo Praedecessore latam revocare et quidem ita ut omnes legis effectus etiam temporis praeteriti sint remoti, ac si lex numquam exstitisset. Unde si Papa[5] matrimonium invalidum, non ex lege divina aut naturali, sed ex lege mere ecclesiastica, sanat in sua radice, hanc legem ecclesiasticam ita pro casu, de quo agitur, abrogat, ac si numquam matrimonio obstitisset, et *per fictionem juris* retroagit ad primum consensum contrahentium seu *ad matrimonii radicem*[6] efficitque, ut contrahentes prius propter impedimentum dirimens inhabiles expeditam acquirant habilitatem naturalem, ut eorum consensus fiat legitimus, ergo proles plenissime legitima, et matrimonium eorum ex consensu legitimo et perseverante fiat validum et sacramentale absque ulla consensus renovatione. Unde patet totum processum sanationis fieri ex sola operatione Ecclesiae, quin requiratur actus positivus eorum, quorum matrimonium sanatur; patet etiam, prolem hoc modo plenissime posse fieri legitimam, etiamsi unus, imo uterque ex genitoribus, utpote ad hoc minime necessariis, mortuus fuerit.[7]

II. Jodocus, Diaconus, dimissis studiis theologicis, quae absolverat, amore erga Maeviam incensus, cum ea matrimonialiter vivit per viginti annos pluresque ex ea gignit liberos; nunc vero periculose decumbit, dum Maevia mente insana jaceat in hospitali. Samon, confessarius, Jodocum adit, eumque adducit, ut in convalidationem sui matrimonii consentiat. At nunc quaerit apud se: quomodo in casu sit procedendum? An simpliciter Jodocum dispensando vi facultatis Episcopis in Decreto *De mandato* per S.C.S. Off. 20 Febr. 1888[8] in favorem concubinariorum pro mortis

[5] "Solius Romani Pontificis est, dispensationes in radice matrimonii indulgere." Bened. XIV, Rescr. *Etsi matrimonialis* de 27 Sept. 1755.

[6] "Consensus, a quo contractus matrimonialis pendet, radix est." Perrone de *Matr. christ.*, Romae 1858, II, 157, et alii communiter.

[7] Sanchez de *Matr.* lib. VIII, disp. VII.

[8] ECCL. REVIEW, Vol. V, 138.

articulo concessae? At tum tantum habilis fit ad matrimonium denuo contrahendum, ideo accedere debet contractus per mutuum consensum, quem tamen Maevia, mentis impos, praestare nequit. Qua de causa Samon confugere cogitat ad dispensationem in radice matrimonii, quam Episcopus innixus facultati Articuli 6, Form. D etiam concubinariis ex consensu vero sed invalido concedere potest. Quaerit vero Samon: An conditiones pro sanatione in radice requisitae in casu Jodoci et Maeviae concurrant?

Resp. Agitur de dispensatione in radice ab Episcopo in Form. D, Art. 6, concedenda, pro qua requisita in his fasciculis[9] enumerata sunt. Jam quoad impedimentum ipsum, facultatem dispensandi, et magnum incommodum requirendi a parte innoxia (i. e. Maevia) renovationem consensus, ut opinor, vix quaestio moveri potest. Eo major quaestio est de consensu conjugali Jodoci et Maeviae. Requiritur enim pro sanatione matrimonii in radice, ut haec (radix) consistat ex consensu mutuo naturaliter valido, qui solum ob accedens impedimentum juris ecclesiastici valore destitutus sit, seu ut scribit Bened. XIV in const. *Redditae Nobis:* "Ut autem obtineatur hujusmodi dispensatio, quae non sine urgentissima causa concedi consuevit, requiritur quod proles nata sit ex copula *non manifeste fornicaria, sed putative matrimoniali.*" Ergo conjunctio *manifeste* fornicaria, quia radix matrimonii abest, sanari nequit. Sanari ergo potest conjunctio *non manifeste* fornicaria seu talis, de qua dubitatur, utrum sit fornicaria, an conjugalis. (Videtur scil. Ecclesia potestatem suam exhaurire velle ad hujusmodi miseros salvandos.) Sanari potest conjunctio ex consensu naturaliter valido, licet propter impedimentum ecclesiasticum invalido, etsi inita sit sine figura et specie matrimonii i. e. sine ulla celebratione matrimoniali, utpote quae ad valorem ex jure naturae non pertinet. Non ergo est de valore quoad applicationem dictae facultatis, ut matrimonium celebratum sit coram parocho proprio et testibus. Ideo Ecclesia saepissime etiam in regionibus, ubi lex Tridentina hanc praesentiam pro valore actus praescribens viget, sanat matrimonia civiliter tantum contracta, ut id testatur *Il Monitore ecclesiastico* (Vol. XII, p. 69).[10] Qua de causa jam Barbosa (in voto decis. 27, n. 10)

[9] *Ib.* (hoc) Vol. XXVI, p. 10 seq.

[10] Fasciculi hi periodici sub auspiciis Card. Casimiri Gennari eduntur, ideo maxime aestimandi sunt.

scripsit: "Cum matrimonium in terminis juris naturalis solo consensu perficiatur, isque plene eliciatur ex affectu, quem interpretes vocant maritalem, is unus sufficiens est ad dispensandum in radice, etiamsi matrimonium in figura seu de facto inter conjuges non praecesserit, cum consensus ad matrimonium necessarius hoc in casu subsit." In foro externo utique talis consensus plerumque probari non posset; unde S. Sedes etiam regulariter requirit formam et figuram externam jam ad vitandum scandalum.[11] Quomodo consensus naturalis desinat esse verus conjugalis, indicatur in hoc periodico supra p. 10 ad 11. Requirunt insuper varii DD. ad sanandam radicem matrimonii, bonam fidem in consensu. Giovine scribit:[12] "Nullus certo inficias ibit, ad dispensationem in radice matrimonii, necessario requiri, ut contrahentes reapse et bona fide posuerint conjugalem consensum." Et Card. Kutschker[13] dicit: "Dispensatio in radice juxta communiorem sententiam concedi non potest, si ambae partes contrahendo *clare* cognoverint matrimonii nullitatem, quia cognita matrimonii invaliditate nequit dari in illud verus ac proprie dictus consensus, sed habetur tantum intentio vivendi in concubinatu et proinde consensus sanari nequit, cum a principio fictus fuerit." Casus reduci potest ad similem, in quo contrahentes certi sunt de consanguinitate quarti gradus sibi obstantis, quamvis revera consanguinei sint in gradu quinto. Dicunt DD. de his, si *non absolute* credant, matrimonium ipsis esse impossibile, sed judicent legem ecclesiasticam obstantem, quia nimis sit molesta, non stricte obligare aut dubitent, an Ecclesia imponere possit tantum onus, et ita dispositi in matrimonium consentiant, quantum possint, eos certe valide contrahere; si vero absolute credunt et certe cognoscunt impedimentum, duplex adest sententia, quam egregie exponit Rosset, Ep. Maurianensis (S. Jean de Maurienne, Savoy) in suo magno opere de *Sacr. Matr.* ex a. 1895, Vol. V, n. 2801 seq. Sententia negans, valere matr., *ei verior* est et a multis auctoribus sustinetur. Ratio est, quia cum intellectus matrimonium ut impossibile et nullum apprehendit, voluntas id appetire nequit, ideoque nonnisi in concubinatum consentire potest. Nihilum non potest appeti a voluntate. Nihilominus pro sententia affirmante

[11] *Cf.* Feije de *Disp. matr.*, n. 796.
[12] *De Disp. matr.*, Vol. I, § 327.
[13] Eherecht. Wien, 1857, Vol. V, p. 361.

valorem dicti consensus matrimonialis stant non pauci etiam ex iis qui sunt Doctores primi subsellii, ut Sanchez, De Lugo, Schmalzgrueber, Pichler, et plures alii. Ex his, e. g. Sanchez, II, disp. 33, et Schmalzgr., IV, Lib. 1, n. 456, aliique innituntur in *cap. un. de sponsal.* in 6 et in Clem. *un. de consang.*, in quibus consensus matrimonialis supponitur possibilis non obstante certitudine impedimenti.

Ergo *certe* fornicarius non est consensus duorum contrahentinm, licet certo sciant impedimentum dirimens sibi obstans si *serio* consensum conjugalem emittant.

Caeterum concessa bona fide, in contrahendo requisita, quaeritur, qualis bona fides haec sit? Certe non stricte sumpta, sed bona fides in genere, qua aliquis vult inire verum matrimonium secundum naturam, praescindendo a legibus positivis humanis. Ita *Mon. eccl.*, l. c., qui putat ad hoc reduci, quod scribit Feije: "Regulariter cum mala fide circa impedimentum seu hujus notitia non consistit consensus matrimonialis; consistere tamen potest, quia non satis attenditur ad vim irritantem impedimenti vel haec ignoratur vel non creditur vel non satis perspecta habetur." Idem dicit Gury Ball., II, n. 904, q. 2.[14]

Si considerantur, quae cum gravibus Auctoribus scripsi hac de re, et simul perpenditur indifferentia in religione ubique dominans, matrimonium civile a gubernis fere omnibus introductum, et simul vis passionum in matrimoniis contrahendis praecipue vigens, facile admittetur id quod scribit D'Annibale;[15] "Hodie amplius non quaeritur, utrum matrimonium bona fide initum sit, an mala." Cui consentit Gallo (*Suppetiae*, IV, 327). Insuper, quamvis, consentiens monitioni Rev. F. Schulze (p. 73) admittam saepe in illis qui clare vident sibi obstare impedimentum dirimens et nihilominus conjunctionem *in suo sensu* conjugalem ineunt,

[14] Ad rem magis illustrandam addo casum in *Mon. eccl.*, l. c., propositum et solutum: Titius et Caja matrimonium civile ineunt, quin illud teneant pro valido; conveniunt enim, postea verum matrimonium coram Ecclesia sese velle celebrare. Attamen Titius postea Cajae dicit, se nolle actum religionis pro suo connubio perficere, quia possumus ex matr. civili convivere, cui Caja sponte consentit. *Quaer.* An hoc matrimonium possit validari per dispensationem in radice? *Resp.* Affirmative, non ex primo consensu civili, ubi matr. verum non intenderunt (volebant enim postea hoc coram Ecclesia inire), sed ex eo, quod contentos se declaraverunt cum primo. Revera S. Sedes in similibus casibus concedit dispensationem in radice.

[15] *Summula*, III, n. 504 (22).

verum consensum matrimonialem deesse, et id quod praetendunt, nihil esse nisi fictionem, ideoque prudenter et caute a nobis esse procedendum ad sanationem hisce obtinendam,—tamen tanquam regulam puto esse sequendum id, quod supra (p. 11) dixi, scil. non satis attendisse ad vim irritantem impedimenti censendum esse eum, qui *sincere et serio* fatetur, sese in contrahendo intendisse matrimonium, non concubinatum; eique hoc asserenti credi posse et debere; supposito tamen, quod sufficientem de requisitis ad matrimonium instructionem acceperit et interrogatio prudenter facta fuerit. Ex dictis Samon perspiciet, quomodo a se sit investigandus consensus, a Jodoco et Maevia mutuo praestitus.

Attamen requiritur praeterea, ut consensus conjugalis primitus datus usque ad momentum dispensationis perseveret. Ita saltem juxta longe communiorem sententiam Canonistarum. Quod in contrarium affertur a Perrone (de *Matr. christ.*, II, 174) et Gallo (*Suppetiae*, IV, 328), communiter rejicitur et aliter explicatur.[16] Attamen perseverare censetur dictus consensus, donec manifeste et directe revocatur, eo ut explicite vel implicite dicatur: Restituo jus acceptum in corpus tuum et revoco jus datum in corpus meum aut similiter. (Gasparri, *Tract. de Matr.*, II, n. 1156.) Unde perseverat consensus conjugalis, licet una pars clare cognoscat impedimentum et altera illud ignorans eum revocaret, si illud cognosceret. Talis voluntas interpretativam tantum in se continet revocationem, quae non sufficit. Imo perseverat consensus primitus datus, licet utraque pars statim postquam eum mutuo dederant, clare perspiciant impedimentum ejusque vim, et nihilominus continuent consortium initum, quod eis jam evadit formalis concubinatus. (*Cf.* Gasparri, l. c., aliosque.) Conformiter cum hoc scribit Kutschker, l. c., p. 361, cum Instructione Eystettensi: "Si ambae partes ab initio bona fide contraxerunt, licet deinde detecto impedimento contra conscientiam in matrimonio perseverarint, poterit sanatio in radice locum habere."

Haec pro Samone sufficient, ut quoad requisitam consensus perseverantiam ex Jodoco tum quod hunc ipsum attinet tum quod ad Maeviam spectat, possit eruere.

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(Continuabitur.)

[16] *Cf. Act. S. Sed.*, I, 188; Giovine, l. c., § 328; *Mon. eccl.*, l. c., p. 72.

AMOVABILITY "AD NUTUM."

Rationale of Amovability.

AMOVABILITY is the capability of subalterns to be transferred from one position to another. It denotes a condition that renders a subject liable to surrender one post and accept another, at the instance of his proper and lawful superior. The noun "amovability" is formed from the adjective "amovable," which is derived from the verb "to amove or to move" by adding the termination "ity," usually with a passive import and expressing susceptibility of action. There are two persons to be distinguished between in amovability—the one actively determined, and the other passively affected. In determining the force and effect of amovability, the liberty of the superior and the dependence of the inferior should be properly defined. Transfer is the effect of removing force. Canonists define it "alicujus personae de una ad aliam sedem seu Ecclesiam auctoritate superioris *ex legitima causa* facta mutatio."[1] Amovability is a condition of distributive justice. The irresponsible exercise of such a power necessarily brings the reproach of maladministration upon a particular person or church; the misconception or ignorance of the rights of Ordinaries of dioceses causes disappointed and discontented ecclesiastics to bring their controversies before different tribunals for adjudication.

It is not the present purpose to treat, except cursorily or incidentally, of amovability upon principles of moral or pastoral theology; I shall discuss here only those principles of ecclesiastical law which relate to the thesis, which, in theory as well as in practice, is one of the most vexed topics of canon law.

The requisite conditions of amovability are determined by principles of social justice upon which the social fabric rests. The Church is an autonomous, visible, and complete society, in which all things are done "decently and according to order."[2] Her traditions of justice and equity are administered with an eye to the needs of modern times and to the trend of civil laws. The maxim of the Church Militant is that, with disciplined forces "a

[1] C. 34, c. 7, qu. 1. [2] I Cor. 14 : 40.

line of operations, when once chosen, should never be abandoned."[3] "Accidental lines"[4] are followed in operations made with undisciplined troops or with an army of incongruous material.

Aspect of American Civil Law.

The spiritual power of the Church is neither crippled nor enslaved by the material force of the agnostic "Uncle Sam." History testifies that the United States is not a *tabula rasa* to build a perfect canonical system upon. The Federal Constitution declares freedom of public worship as one of the principal articles of our political creed. But this freedom is not a positive force regulated by civil law; it is a negative force, that is, a release from restraint, or rather, lack of authority. Cavour's mockery, "a free Church in a free State,"[5] has become a reality in this country. The Church is not hemmed in by State paternalism, and she manages, therefore, her affairs independently of the State in her own way.

The Church has original jurisdiction in all cases of her own officers and members. A final decision of an ecclesiastical judicature is conclusive and peremptory, and constitutes an estoppel to civil suits, if the sentence is of a spiritual character. "The rule is different where property rights are involved. In such cases civil courts are strict in asserting their power."[6] The policy of civil tribunals in respect to amovability of pastors can be anticipated from the Stack *vs.* O'Hara litigation. An inferior court issued an injunction to restrain the Bishop from appointing a successor to the priest who had been removed. The court presumed that the latter had been deprived of his livelihood and thus unwarranted interference with his civil rights had occurred. Upon an appeal the Supreme Court of Pennsylvania adopted this course of reasoning, viz., that if the Church laws "provide that the Bishop may remove a priest without trial, he has no right to a trial; and if they provide that he shall have recourse to the Bishop's superior in case of wrongful removal, his remedy is by such recourse, for this is his contract. . . . Civil courts will not interfere where the ecclesiastical courts or officers have

[3] A saying of Napoleon.
[4] A military term.
[5] It is a Manichean doctrine.
[6] Watson *vs.* Jones, 13 Wall. 679.

jurisdiction, and have acted under their own rules, giving them a reasonable application."[7]

Should the power of amovability be purely arbitrary and be bounded by the will of the removing officer alone, it would be a discretionary power, of which R. S. Blackwell writes that it is "intolerable to a free people," and "contrary to the genius of our laws and institutions."[8] The power of amovability which bishops sometimes wield is a "privilegium odiosum," a high prerogative; and as such must be construed strictly. The United States is a very unpropitious campus for the cultivation of arbitrary discretion, as such a growth would have a bad moral effect on the clergy. Lack of deference to episcopal authority or overstrained liberty subjects our bishops to a higher criticism of facts and law emanating from their decisions or official acts.

Ecclesiastical Jurisdiction.

The Church is based upon a government by authority and under authority. Obviously, for social and theological reasons alike, an authoritative discipline must be regarded as of imperative need in the Church; but it must be centered in one supreme head. Amovability is an accidental of the administration of government. In the Pope jurisdiction is unchangeable, as it was in St. Peter; in the bishops, it is subject to the Pope, the Vicar of Christ, the successor of St. Peter, and Primate of the Universal Church. "The jurisdiction of any bishop whatsoever," remarks the Jesuit, Father William Humphrey, "can be validly withdrawn by the Supreme Pontiff, even without an adequate cause, and without giving a reason. This the very end of a society, in the securing of its social tranquillity and peace, demands. The universal good must always prevail over a particular good, and the welfare of the Universal Church must always prevail over the individual welfare of any particular Church."[9] An act done without adequate cause may be valid, but not licit, unless reasons and legitimate causes be interposed.

The canonical authority consigned to bishops embodies three

[7] 98 Penn., 233-4.

[8] *Power to sell Land*, 1869, p. 48.

[9] *Urbs et Orbis*, 1899, p. 21 ff.

powers: 1. judicial powers involving the duty to take judicial cognizance of a case within his jurisdiction, as, for instance, in transferring an irremovable rector against his consent; 2. quasi-judicial powers, or duty of looking into facts, and acting upon them after deliberation in a judicial manner, as, for example, in removing a vicar-general; 3. ministerial powers, or duty to execute specific mandates or instructions of superiors, as, for instance, in the case of reinstating, or restoring to his lost rank, a priest.

Jansenists and the so-called "Parochists"[10] assigned to parish priests rights prejudicial to bishops. According to them, parish priests, the presumed successors of the seventy-two disciples of our Lord, are so *ex jure divino et non de jure ecclesiastico*, and consequently, bishops cannot exercise an immediate jurisdiction over "episcopi minores."[11] According to this hypothesis, bishops have only preëminence and indirect jurisdiction over parish priests. Others, on the contrary, attributed to bishops as "dominantes in clero"[12] unjustifiable power, equivalent to "sic volo, sic jubeo; stat pro ratione voluntas." The golden mean is the proper key to the question of the rights of bishops. A priest, in virtue of the promise of obedience taken at his ordination, must obey his bishop, not like a soldier his superior officer, but still more, as a son would his father; and moral or persuasive agencies should be applied in cases of insubordination, before more stringent measures are resorted to. The Church is, according to the Council of Trent, an "acies ordinatissima."

A bishop who has jurisdiction is the *parochus parochorum*, and to him alone belongs the habitual care of souls, at least in this country. He may commit the actual care to a priest of his choice. Such a priest has only delegated power, and the bishop can revoke at any time what he has granted. He is the governor[13] of the Church Militant, and priests may be styled his subordinate officers, endowed not with an ordinary power, but with only a delegated power, as their office and function were not instituted by a law of the Universal Church.

[10] Thus Bouix styles the followers of Aërius.

[11] Cf. *Petrus Aurelius*, Du Verger, the second Tertullian.

[12] I Pet. 5: 3.

[13] Acts 20: 28.

Appointment of Rectors of Souls.

An office is a right to discharge duties appertaining to a post, trust, or employment. The authority of an officer is contained in his appointment. Appointment to an office is evidence of good standing; and this condition will be presumed to continue until the contrary can be shown. Tact and discernment are necessary in determining the particular course of making appointments. Nothing can be more "conducive to the glory of God and the salvation of souls than the earnest desire to promote good pastors and such as are capable of governing a church."[14] Candid and noble-minded superiors, like St. Thomas à Becket, are never influenced by personal considerations in making an appointment. It would comport ill with moral propriety and the dignity of a priest to secure an office to which such grave responsibility is attached, by dint of crafty devices, as cabals, coteries, or sycophancy.

There are two classes of offices,—irrevocable and revocable. An encumbent of an irrevocable office may not be divested of his charge against his consent, by means other than proceedings instituted for that purpose in a proper court. Should he be removed contrary to his will, he has the right to invoke the law in his behalf. Revocable offices can be withdrawn at the pleasure of the appointing power. To remove a person from a civil office, without notice or hearing, is in conflict with the bill of rights. The condition of ecclesiastical dignitaries is certainly not inferior to that of civil administrators in a secular society.[15] "Where there is the same reason, there is the same law; and concerning things similar, the judgment is similar," is a maxim of law.

St. Gregory the Great said that "bad priests are the cause of the people's ruin," and "that a clergy corrupt within cannot long remain superior to the world outside." "Nothing," he adds, "does more harm in the Church than bad example from those whose sacred office commands respect." Where the example of a priest is the only bar or stumbling-block to the advance of piety and holiness in a people, it is meet and just to remove the obstacle. On the other hand, priests who are qualified for a high position

[14] Council of Trent, Sess. 24, chap. 1, On Ref.

[15] Sebastianelli, *Praelec. Jur. Can.*, De Pers., p. 342.

and who do not court it from worldly motives, such as seeking after praise, honor, or "filthy lucre," but to promote love of God and love of our neighbor, may laudably aspire to a higher office; for "if a man desire the office of a bishop, he desireth a good work." [16]

Transfer of Rectors.

According to Canon Law, transfer is the act of changing a person from one place to another, by superior authority, *for legitimate cause*. The good pastor is sorry to leave a flock to which he has devoted all his zeal and piety. His relation to his flock is one of real harmony. A congregation which is always seeking to get rid of its pastor as soon as he begins to acquire a knowledge of his charge, in order to make room for another, who is in like manner very soon superseded, loses all prestige; and a pastor who is constantly hunting for new pastures does not command much respect and reverence. "The wicked man fleeth when no man pursueth." [17] Some priests are like strong and hardy plants which will take root in any soil that will foster healthy growth and the development of a character that is not averse to discipline and work. According to St. Paul,[18] there is great diversity of character among priests. Some prefer those employments which are of extensive utility, and leave to others those of a more limited influence. Others, who desire to "labor as good soldiers of Christ Jesus," [19] want to be always in the saddle, and dislike, therefore, long encampments. Change gives them zest; long residence would make them remiss in discipline. Others, who regard their duty as a sacred debt due to God, their Church, and their own conscience, discipline their life to submission. It is painful, yet, alas! sometimes not untrue, to say of some pastor: "God sent him meat, but the devil cooked it."

A transfer from an inferior to a higher and better position is called promotion. This is usually the reward for merit or length of service. The merit depends on the theoretical proof by a close scrutiny of his intellectual and moral fitness, and upon the practical test of his ability and usefulness. The claim of merit carries more weight than mere length of service, which is only presump-

[16] I Tim. 3 : 1. *Cf.* also *Liber Pastoralis Curæ* of St. Gregory the Great, Book I.
[17] Prov. 28 : 1. [18] II Tim. 2 : 20. [19] I Tim. 2 : 3.

tive evidence of fitness, whereas the former furnishes positive proofs of the desired qualifications. Seniority is not of itself a title to advancement, although it may be considered a sufficient reason for preferment. Extraneous circumstances, such as nobility, friendliness, relationship, should neither direct nor influence appointments or promotions. As faithful sons have a higher claim than loyal valets, so priests who are ordained for or have been affiliated with the diocese should be preferred before those who wander from diocese to diocese without any intention of staying.

A fair and equitable distribution of offices is likely to become permanent by terminating the scramble for the loaves and fishes of an office. Absence of a gradual system or of a progressive classification of offices breeds jealousy, distrust, disrespect, and personal rancor between the interested parties. In making transfers order should be observed, which proceeds from a lower to an equivalent, higher, or better rank. A transfer to an inferior or worse place is looked upon as a disgrace or humiliation, which, as S. B. Smith remarks, "should, as a rule, be inflicted only for crimes or offences, which make a person unworthy of his reputation and of the esteem of others."[20] If an officer, transferred to an inferior position involving subordinate duties and reduction of compensation, accepts the new position without protest, he waives any right to object. "Consentienti non fit injuria"—that is, if a person voluntarily consents to an injury, he must bear the loss. Revocable officers assigned to a post which is not according to their taste should acquiesce, "ut ex nolentibus fiant volentes."

Neither compensation[21] nor fixity of tenure[22] is an essential element of an office. Both are incidental parts of and complementary to an office.

Missionary priests, whose office is the care of souls in the United States, are termed pastors, if removable from one mission or quasi-parish to another at the command of their bishops or rectors, if irremovable or inamovable. A pastor can be removed or transferred against his will at the instance of his bishop, and no reasons need be assigned. His bishop's will is the law

[20] *The New Procedure*, N. 596.

[21] Fagnani, *Jus Canonicum*, chap. Clericus, 1 and 2, dist. 91.

[22] Council of Trent, Sess. 24, chap. 13, On Ref.

and he does not always "feel called upon to give reasons why it is so." "Dura lex, sed lex." To his superiors the bishop must be prepared to adduce proof of all facts upon which the transfer or removal is grounded. Excuses cannot be called reasons. A pastor who feels aggrieved by the action of his bishop has no right of appeal to a higher instance, as there has been no trial, and consequently no decision. The pastor cannot have the ordinary remedy of law, because his position is not determined by law. However, he may find an adequate relief against the grievance by recourse to the Apostolic Delegation, or to the Propaganda, which authorizes a Metropolitan to retrace an administerial misstep.[23] It need not be said that such services should not be turned into a parody, as the indefeasible Supreme Pontiff through his organs is very sensitive in any *certiorari* proceeding. The Pope is not a shadow, a symbol, but the substance and reality of an imperishable power, though he is dealing with men in masses.

A rector cannot be removed or transferred without his consent, except for definite and specific charges enumerated in the 38th Decree of the Third Plenary Council of Baltimore. For the validity of the episcopal act a formal trial pursuant to the instruction "Cum magnopere" issued by the Propaganda, in 1884, for the United States, must be instituted. Should the judge not hold the balance of justice even, an appeal to a higher instance should redress the grievance.

The Church, through which only One Spirit breathes, has always regarded inamovability of pastors or rectors of souls as "a substantial truth under circumstantial variety."

Perpetuity of Pastorates.

The intensity and singleness of purpose which characterize the conservative nature of the Church find exemplification in her desire for perpetuity or fixity of tenure in offices to which the care of souls is attached. Perpetuity here is considered as the touchstone of practical consequences in disciplinary zeal. The theory of episcopal power is not indeterminate, indefinite, vague, unfixed, or unformulated. The unity of the Church does not mean opposition to individuality. From perpetuity of a pastorate

[23] Cong. of Propag., March 28, 1887.

a lofty conception of the character and work of a pastor must be drawn, though it specializes his functions. Perpetuity is the Ultima Thule of the parochial system.

Canonists distinguish an objective and a subjective perpetuity.[24] The former pertains to the relative permanence and stability of an institution or an office established by the Church; the latter refers to the personnel which has an enduring interest in the institution or office, though it is only an attribute or an accessory, and not an essential authority thereof. Subjective perpetuity of a pastorate is denominated irremovability of a rectorate.

A good government of souls requires permanence of a pastor in order to find out the peculiarities of mind, character, and custom, the likes and dislikes of those over whom he presides. By divine precept it is enjoined on all to whom the care of souls is committed, "to know their sheep, and to watch over them;"[25] "to become the pattern of the flock."[26] "Remove not from house to house,"[27] as our Divine Teacher exhorted his seventy-two disciples. To the Apostles He said, "and when they shall persecute you in this city, flee into another."[28] Where true attachment and concord exist between pastor and his flock, fidelity will be preserved unimpaired to the end.

A pastor is the spiritual father of his flock. By permanence pastors are more indissolubly linked in their ties of affection with their congregations. It insures the adequate carrying out of a stable and good policy. Where change of *curriculum vitae* implies fear, uncertainty, instability, it is manifest that a person, exposed to such a predicament, will not have any motive to exert himself. "As a bird that wandereth from her nest, so is a man that leaveth his place."[29]

Amovability of civil judges would destroy their independent position, which enables them to do justice to all, without distinction of persons. A close parallel may be drawn between the respective offices of a civil judge, the minister of justice in the temple of law, and the pastor, the advocate of the poor, the judge of conscience and the minister of justice in the sanctuary of God. "Nullus clericus nisi causidicus." He is strong who knows his

[24] Sanguineti, *Jur. Eccl. Inst.*, ed. 3d, p. 407 ff. [25] John 10: 14.
[26] I Pet. 5: 8. [27] Luke 10: 7. [28] Matt. 10: 23. [29] Prov. 27: 8.

rights. Want of self-respect and self-confidence, and a lackadaisical disposition are moral effects of an unjustifiable amovability. Furthermore, it would not be beneficial to the cure of a bodily disease should the patient always change his medical adviser. The same may be said of a pastor, the guardian of the soul's health and the physician of its wounds. Frequent changes of educators work injuriously both on educator and his pupils. Education is not physical drill or intellectual training solely; it is moral training *par excellence*, that is, cultivation of conscience and formation of character. Good educators admit that a master who has charge of a class from the bottom to the top, is more likely to bring his pupils up "in disciplina et correctione Domini" than teachers who give the different parts of the instruction in one class.[30] Pastors are not only teachers, they are "paedagogi ad Christum." Irremovability, though desirable, is not always expedient or practical. A condition, and not a theory, must be confronted. St. Gregory the Great notices in the second book of his *Liber Pastoralis Curae*, that security of position leads self-love in a pastor to harshness, roughness, and inconsiderateness in his zeal for God's truth.

An ecclesiastical office has its internal and external interests, a spiritual and material side. An ecclesiastical office established by the authority of the Church, with the right to take the revenues thereunto belonging, is called a benefice. A parochial benefice requires in addition to a simple benefice, the care of souls.

Parochial Benefices.

The Church possesses temporalities which, placed beyond the reach of chance and fluctuation, are indispensable to permanently and safely insure a public worship of God and a sacred ministry. Canon law applies to all tenements of the Church, whether corporeal or incorporeal hereditaments, the general term of benefice or prebend. There is no benefice to which actual service is not attached. "Benificium datur propter officium."[31] Benefices are of a feudal type. Objective perpetuity is absolutely required for a benefice, *i. e.*, for an ecclesiastical foundation or endowment.

[30] *Cf.* Joseph Kleutgen, *Über die alten und neuen Schulen*, 1869, p. 60 ff.

[31] C. ult. de rescript. in VI: 1, 3.

Subjective perpetuity does not belong to the essence of a benefice; it is rather the result of accretion, the growth of circumstances. Sanguineti states that subjective perpetuity belongs to a benefice not institutionally but historically.[32] Subjective perpetuity as an accidental form became with the length of time so consolidated with objective perpetuity that both were later confounded and identified.

According to the Canons, "no secular cleric, though otherwise qualified as regards morals, knowledge, and age, shall be promoted to sacred orders, unless it be certain that he is in the peaceful possession of an ecclesiastical benefice sufficient for his honest livelihood.[33] "Clerics," declared the Fourth Ecumenical Synod of Chalcedon, "must remain attached to that church at which they were authorized to serve from the beginning."[34] The word "church" is a comprehensive expression. Generally, the church which the priests must serve is the diocese to which they belong; specifically, it is the pious place, the sacred establishment to which they are assigned by the bishop."[35]

The Council of Trent enjoins on bishops, that "they shall assign to each parish its own perpetual and peculiar parish priest, who may know his own parishioners, and from whom alone they may licitly receive the Sacraments; or the bishop shall make such other provision as may be more beneficial, according as the character of the place may require.[36] A canonical parish is always a benefice held either by title or *in commendam*, that is, by way of administration. The Church desires that a priest who receives a parochial benefice *in titulum* shall thereby become *proprius et perpetuus rector*. "Semel abbas, semper abbas." Pope Urban announced at the Synod of Piacenza, in 1095, the rule that "sanctorum canonum statutis consona sanctione decernimus, ut sine titulo facta ordinatio irrita habeatur, et in qua ecclesia qui libet titulatus est, *in ea perseveret*."

Parochial benefices are only conferred on those who have

[32] *L. c.*

[33] Council of Trent, Sess. 21, chap. 2, On Ref.

[34] Can. 20.

[35] Instruction of the Propaganda, October 16, 1830. *Coll. Lac.* III, p. 22.

[36] Sess. 24, chap. 13, On Ref.

undergone a successful competitive examination before the synodal examiners.[37] The competitive test, called concursus, is calculated to determine with reasonable accuracy aptitude for a parish. It is, as it were, a sort of civil service rule for parish priests. It encourages love of study and theological science, and affords a legitimate sphere of personal ambition and emulation. The concursus should never be confounded with "bread-study." An appointment to a canonical parish, known under the term of "institution," or "investiture," confers *jus in re*. A pastor should never resign, into the hands of his bishop, the burden he has voluntarily assumed, unless he have no longer strength to bear it. Were the pastor at liberty to desert his flock according to his whim or caprice, it would cause anarchy or chaos in the administration of the Church. A resignation is valid, when submitted to the approval of the bishop, the proper judge of reasons and facts, and accepted by him.[38]

There are no parochial benefices in this country. The so-called parishes are termed by the Propaganda "quasi-parishes." The Fathers of the Second Plenary Council of Baltimore desired that "there should be parish priests in the proper sense in these States as in other Catholic countries." Only comparatively few of the quasi-parish priests are irremovable; but they are not on a plane with canonical parish priests. An irremovable quasi-parish is not a canonical benefice; it is only "ad instar beneficii." No priest shall be appointed to an irremovable quasi-parish without having labored for five years in the diocese and without having undergone the required concursus to the satisfaction of the bishop.[39] Irremovable quasi-parish priests or rectors may be legally ranked with perpetual vicars, but they cannot be identified with the so-called "desservants."

Desservants.

After the terrible tidal wave of the great Revolution all the endowments of the eldest daughter of the Church were nearly obliterated. The ecclesiastical estates were "mobilized," that is, confiscated, secularized, and sequestered in order to "decatholi-

[37] Const., "*In Conferendis*" of Pope Pius V, May 18, 1567.

[38] *Cf.* Const., "*Quanta Ecclesiae*" of the same Pope, published in 1568.

[39] Second Plen. C. of Baltimore, n. 126.

cize" and "laicize" the "infamous" Catholic Church of France. After this sacrilege the juggernaut of Rousseauism, Voltairianism, Jansenism, Gallicanism, and Calvinism was still not propitiated. A veritable pandemonium held undisputed sway. Two millions of faithful Catholics were immolated to satisfy the Goddess of Reason, worshipped on the "altar of the country" in the "dioceses of free thought." The red spectre of Jacobinism threatened France with complete disintegration.

The genial but redoubtable victor of Marengo foresaw that only the Catholic Church "gives the State a firm and durable support." Actuated by political considerations the free-thinking First Consul negotiated with Pius VII upon a new Concordat. He tried to treat the Church like a vassal and thought to play with the "White Shepherd of Rome" the rôle of a lion among a flock of sheep; but he could not intimidate the unarmed David. Pressed by the autocrat and having in view the peace and tranquillity of France, the Pope made the utmost concessions to reconstruct the disestablished Church in a distracted country. By the Bull "*Qui Christi Domini*," the Supreme Pontiff suppressed the ancient dioceses and parishes of France; by another, "*Ecclesia Dei*," he required unconditional resignation of all French bishops from their sees, to effect a new demarcation of dioceses. The seized ecclesiastical estates were not restored. The dotation of the Church, which was reduced to a minimum, rendered the new arrangement of dioceses and parishes a necessary evil. Napoleon's real design was to "municipalize" the clergy. By Macchiavellian stratagem he "supplemented" insidiously the Concordat by "police regulations," impregnated with old Gallicanism, which he termed "Organic Articles." Although there are some among them which the Church might tolerate, others are of such a character that they could not be and never were ratified or tacitly sanctioned by the Holy See.

According to the Concordat there are two kinds of parish priests: 1. so-called irremovable *curés* of cantonal parishes who are nominated by the bishop with confirmation of the civil authority; 2. the removable *desservants*, or canonical parish priests of succursal churches, who are instituted by the bishop and liable to removal ("ad beneplacitum episcopi" or "ad ulteriorem dispositionem").

For the establishment of new succursal parishes the intervention of civil government is a *conditio sine qua non*. Bouix believes that succursal parishes are manual benefices, that is, benefices revocable *ad nutum episcopi*.[40] The "Organic Articles" were calculated to turn ministers of the altar into obsequious ministers of the State despotism, which is derogatory to their sacred dignity. Desservants who were not of a time-serving disposition were exposed to the lashes of unbelieving "maires," whimsical prefects, or masonic ministers; servile favorites, on the contrary, were recompensed, without any regard for the interests of the Church and the spiritual wants of the people.

Amovability of desservants, the legacy of the great French Revolution, is repugnant to the spirit of canon law. "Quidquid sit," writes Mettrier in his *Institutiones Juris Canonici*, "eam (scil. institutionem deservitorum) anormalem esse, et ad normalem quam citissime reducendam, nemo vero Catholicus non censet et expotat." On the other hand, Pillet, a disciple of De Angelis, presumes that numbers 30, 60, and 61 of the Organic Articles regarding revocability of desservants escaped the general animadversion of the Holy See.[41] The heated controversy respecting legitimate institution of desservants was allayed by a rescript of the Congregation of the Council,[42] according to which amovability of desservants is a condition that "ob legitimam epicheiam"[43] should be regarded as a temporary arrangement, until the Holy See should otherwise ordain. But the rescript says that bishops "hac rectores revocandi vel transferrendi auctoritate haud frequenter, et nonnisi prudenter ac paterne uti solent, adeo ut sacri ministerii stabilitate, quantum fieri potest, hisce rerum adjunctis, satis consultum videatur." In a case which came from the diocese of Metz and was adjudicated by the Congregation of the Council, March 21, 1868, all legal points regarding amovability of desservants are amply illustrated. Only an extract of the decision is given here. From the lack of the title of inamovability "sequitur ad eorum (*i. e.*, desservientium) remotionem non servari causas et leges a jure praescriptas. Aequitatis ratio et boni regiminis disciplina postulare videntur, ut aliqua justa et rationabilis causa intercedat, . . .

[40] *De Parocho*, pars III, c. 3.
[41] *Jus. Can.* 1900, p. 42 ff.
[42] March 1, 1845.
[43] Sanguineti, *l. c.*, p. 411.

aequum tamen videtur, ut remotiones nec ad purum libitum, nec frequenter, aut prorsus ex improviso, sed prudenter et paterne locum habeant. In hoc enim habenda est ratio prudentiae, et amovendorum honori consulendum est. Caute praeterea procedendum etiam videtur . . . ne ex amotione dedecus vel infamia, seu aliud magnum praejudicium ejecto causetur."

In the memorial of the Bishop of Rochelle, sent to the Holy See in 1843, amovability of desservants is advocated as a disciplinary measure to compel attendance of recalcitrant priests at the command of the bishop and keep them "in timore salutari."

Protestant Church Polity.

The *liberum arbitrium* has the Protestant ministers of the Gospel entirely secularized. Protestant preachers are selected on account of their social qualities. The Abderian style of preachers' candidating and coquetry, life-long hunting for a better pay, chameleon-like pastorates, present a real "Vanity Fair." "A congregation," writes Washington Gladden in his *Parish Problems*, "that has enjoyed the Christian amusement of 240 ministers will never settle down to the monotony of the Gospel expounded by a regular pastor. Commercialism permeates the whole religious organization of Protestants. The support of their ministry comes mainly from the moneyed men, and they must have their way. Protestants admit that a life-long pastorate is the ideal; but the *mobile perpetuum* of their religion has brought it about that permanence of their pastorates has gone out of date." "A new broom sweeps clean," but not in the Augean stable of unbelief.

The relation of a Protestant preacher and his people is based upon a mutual contract. Protestants never condemn or expel from the ministry a preacher before having him summoned before their ecclesiastical tribunal to answer for any serious charge made against him.

Methodists have inaugurated the so-called itinerant system or triennial rotation of their ministers. They allege that such a migration affords variety of preaching gifts, and it is a military drill to keep ministers energetic by constant agitation. Only absence of celibacy clogs the whole system.[44] Aged Methodist

[44] *Cf.* Stevens, *Hist. of the Meth. Episc. Church.* Vols. 1 and 4.

preachers deprecate the nomadic mode of life which gives them umbrage and no influence with their people. The system is entirely inadequate to the complicated life in larger cities. Itinerancy brands a religious system with the stigma of sensationalism. Times of transformation, rush of immigration, affectation, and novelty foment itinerancy.

Merely Discretionary Power of Amovability.

A healthy tone in a diocese depends on securing prompt and cheerful obedience. St. Leo the Great said, "Where obedience is secure, doctrine will be sound." Canon law, typifying in its principles perfection of ecclesiastical discipline, is necessary to raise the tone of a diocese to the standard of its attainments. Canon law should not be considered as a dead letter, anachronism, or mystification. It has been sanctioned, but never formally adopted in this country, "because newly-built walls do not receive the weight of a roof till they have had time to dry, lest, if they are burdened before being solidified the whole fabric should fall to the ground."[45] A Concordat is never needed where the State maintains only a negative relation towards the Church.

Bishops of the United States have the prerogative of removing pastors, not rectors, at their will.[46] The power of removal is either purely discretionary, that is, *ad nutum episcopi*, or it must be construed as a judicial discretion regulated by law.

Santi remarks in his *Praelectiones Juris Canonici*[47] that amovability *ad nutum* or at will should be properly understood to discern truth and to eliminate error. The Church abhors arbitrary dealing in her régime, and demands order in discipline. "Obey your prelates, and be subject to them. *For they watch as being to render an account of your souls.*"[48] Why did Solomon ask Jehova to give him "an understanding heart" to judge Israel and "discern between good and evil?"[49] Craisson writes with emphatic tone: "Addendum tamen peccare eum qui, absque ulla causa honesta et rationabili, revocat aliquem ab officio, etiam ad nutum amovibili; unusquisque enim tenetur in suis actibus habere finem

[45] Letter of St. Gregory the Great to Vergilius, Bishop of Arles.
[46] First Provincial Synod of Baltimore (in 1829), 1.
[47] 3d Ed., p. 225. [48] Heb. 13: 17. [49] 3 Kings 3: 9.

honestum, et insuper frequens rectorum mutatio esset ecclesiae damnosa."[50] Hence, amovability does not mean a removal which is voluntary and uncalled for. Principles of reason and justice must be taken into consideration, when the question of removal arises; and those principles must be guided by evidences which flow from persons and things. According to the first decree of the First Provincial Synod of Baltimore, Bishops of the United States have ever had and have "the right to depute the priests to any part of the diocese to exercise the sacred ministry, and to recall them as they determine in the Lord (*prout in Domino judicaverint*)," and "that remembering the promise taken at their ordination, they [that is, diocesan priests] should not decline to go to the mission designated by the bishop, if the bishop should judge that therein a sufficient and competent living might be had, and that said office suited the strength and health of the priests." The Propaganda, commenting[51] upon that Synod, adds that the decree enjoining "that priests who exercise the sacred ministry in the dioceses of the United States are *ad nutum episcoporum* revocable from the church and mission which they serve," is consistent with that decree of the Council of Trent which commands that priests should not be ordained before they are attached to some definite charge, for the need and utility of which they are promoted to holy orders.[52] The obedience, explains the Propaganda, results from the sacred promise taken in ordination. Secular priests have not, like regular priests, made a vow of obedience, yet their promise is so sacred and solemn as to resemble very much a vow. Regular priests are much more *ad nutum* of their superiors than are secular priests of their bishops. The promise as well as the vow are "a reasonable service."[53] "Here now it is required among the dispensers [of the mysteries of God] that a man be found faithful."[54]

It is presumed that any interference with the arbitrary power of removing priests, especially to the extent of requiring reasons to be stated and giving the accused an opportunity of being heard

[50] *Elem. Jur. Can.*, tom. 2, N. 313.
[51] Instruc. of Propaganda, Oct. 16, 1830. Coll. Lac. III, p. 22.
[52] Sess. 23, chap. 16, On Ref.
[53] Rom. 12 : 1. [54] I Cor. 4 : 2.

in his defence, would weaken discipline and lessen the authority of the bishops. Bouix[55] and Soglia[56] argue that manual benefices are revocable *ad nutum;* the right to withdraw *ad nutum* is a right to withdraw without cause. Consequently manual benefices may be withdrawn without cause. The same syllogism might *a fortiori* be applied to amovability of pastors. "Ex eo," argues Bouix, at page 419, "quod revocans sine causa agat ex pravo motivo non sequitur eum non uti jure suo, aut injuriam facere revocanti." Where is here the *bona fides* which is a requisite of every official act? Aristotle defines law to be reason without passion; and despotism or arbitrary power to be passion without reason.[57] St. Thomas Aquinas, to the objection that "whatever pleases the ruler has the force of law," answers, "that the will of the ruler must be regulated by some reason, otherwise the will of the ruler would be more like iniquity than law."[58] There must preëxist a motive for every voluntary action of a rational agent directed by moral and legal responsibility. The merely discretionary power is equal to an arbitrary will. Such a will would stand in place of reason. It would be like the club of Hercules or like a scourge of God. The arbitrary exercise of a power which indiscreetly should lay a heavy hand upon a priest, humiliating and subjecting him to blind destiny, does not befit the dignity and position of a bishop.

The merely discretionary power of removal is an open door to "humanum est errare" and to abuses. Some look upon amovability as the engine for gratifying their biased or sportive animus, or wreaking their vengeance on a person who is regarded as an eyesore. Operations of prejudice or some sinister motives cast discredit upon the system of amovability. The Second Plenary Council of Baltimore has brought the power of amovability within a very narrow compass by enjoining, that "bishops must be careful not to transfer priests from place to place against their will, except for serious reasons."[59]

THE JURIDICAL-DISCRETIONARY POWER OF AMOVABILITY.

No canonical procedure is necessary for transferring a pastor from one place to another, when no crime is charged; but there

[55] *L. c.*, p. 411. [56] *Inst. jur. privat.*, p. 15. [57] *Polit.*, Bk. 1, chap. 3.
[58] *Summa*, 1, 2, qu. 90, 1. [59] N. 126.

must be serious and legitimate reasons for such an official act, and full account has to be taken of past merits.[60] The juridical-discretionary power, called also quasi-judicial power, is founded, at least, on good or strong presumptions, and not on circumstances of conjecture and suspicion only. There is an "unwritten equity," as Cardinal de Luca says,[61] which requires that in removal or transfer principles of justice should not be overruled or the honor of the removed or transferred priest overridden. De Angelis writes that the transfer or removal of amovable priests should be preceded by a certain summary judgment of the case, as there scarcely happens an involuntary removal without hatred or without a prejudice resulting to one's reputation or otherwise.[62] An unjust transfer is hard to that part of the congregation which is attached to the removed priest and sometimes spurns his successor. The recall of a pastor shall not cause dishonor, disgrace, or be prejudicial to the priest or to the congregation. Of removable vicars as well as of all transferrable rectors of souls Sebastinelli says: "Infelix et valde iniqua foret conditio vicariorum, si possent removeri a proprio officio, nulla existente causa gravi. Haec enim remotio vergeret in dedecus et infamiam ipsorum vicariorum; nam vulgus fidelium fere semper suspicaretur, revocationem factam fuisse ex mala administratione vel ex aliquo crimine a vicario commisso."[63] Santi is against indiscriminate removal upon the following ground: "Siquidem honor clericalis status, et bonum animarum non bene componuntur cum facili et frequenti mutatione personae quae officium sacrum de se ceteroquin permanens et perpetuum exerceat."[64] Hence it may be concluded that a removal which lacks valid motives is a violation of justice and gives rise to scandal. Offences of a minor character cannot be alleged as grounds for removal. Pierantonelli has it plainly in his *Praxis fori ecclesiastici:* "Neque a parochis amovibilibus ad nutum mercenarios removere permissum, nisi probata existat gravis causa." It could not be called just and fair if a

[60] Conc. Pl. Balt., III, tit. 2, cap. 5, § 32.
[61] *De Benef.*, Part 1, disc. 97, N. 13.
[62] *Prael. jur. can.*, tom. I, part 2.
[63] *L. c.*
[64] *L. c.*, p. 225.

clerical clique conspiring against a fellow-cleric should harass the latter to leave the diocese by getting round the bishop to get rid of an inconvenient person, really for factional reasons, but nominally for some consideration affecting the good of the service of the Church. "Behold, how good and pleasant it is for brethren to dwell together in unity."[65] However, the episcopal authority is not personal and absolute, but must be exercised with due regard for the established canons, discipline, and constitutions of the Church. It is true that sufficient reasons need not be connected with the individual transferred, but must be in the interests of religion, or when the bishop deems the interests of the diocese so demand. Nevertheless, such a proceeding should never become a pretext for wrongdoing.

It need not be mentioned here that a pastor or rector can not be removed from an office, leaving one eligible for another, unless "there shall be, at least, such careful inquiry into the party's guilt as is absolutely necessary, before sentence is pronounced,"[66] in order to take away the effects of the offences committed by him. In such a disciplinary or "criminal" action instituted either for the violation of the precept or for common crimes, or for transgressions of ecclesiastical laws, the trial will be conducted in a summary manner and without the formalities of solemn trials, yet so that the rules of justice be always observed in all their substance.[67] A transfer which is made for criminal or disciplinary causes is known under the technical term of penal transfer.

A transfer of a pastor is legitimate and licit, if made for a valid cause. Necessity, or the utility of the Church or diocese, is its criterion. If such a case happens a transfer may be effected even against the consent of the pastor. It would be an administrative transfer or a transfer *modo administrativo*. But the just cause should be proved and not surmised, as it is a conscientious duty. A pastor should not become a victim of his zeal, because Pope Innocent III has said: "Non potest parochus omnibus complacere, cum ex officio suo teneatur, non solum arguere, sed etiam increpare. . . . nonnumquam vero ligare, frequenter odium

[65] Ps. 132: 1.

[66] Instr. of the S. Congr. of Propaganda, July 20, 1878.

[67] The Instr. "*Cum magnopere*," 10.

miltorum incurrit et insidias patitur. Et ideo diligens adhibenda est cautela, per quam non solum falsae, sed etiam malignae criminationi janua praecludatur." The necessity of recalling a pastor arises, when the inclemency of the climate, or hatred and malice, with little hope of reconciliation of the people, urge the pastor to leave the place, or if he cannot securely live there. The hatred must not be presumed, but must be proved.[68] It is a matter not so much of courtesy as of tact that a pastor whose transfer is contemplated should be consulted with regard to a new field of labor.

Conclusion.

Several Bishops petitioned the Vatican Council to sanction quasi-judicial amovability of all beneficiaries and parish priests. The reasons which they advanced pointed to the[69] needs of modern times being more in harmony with such a measure. Furthermore, the discipline, the *nervus rerum* of the Church, serves at present as a target for systematic attacks of religious indifference and overstrained independence or liberty, the aim of which is to force loop-holes through the bulwark of ecclesiastical jurisdiction. The prorogation of the Council postponed conciliary debates on the project. May this present paper serve as an introduction to the rediscussion of the question of the amovability of pastors.

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RABBINICAL STUDIES.

I. On the Growing Importance of Hebrew Scholarship.

THE study of Hebrew has long held a recognized place in the education of the Catholic clergy, and at first sight it might seem somewhat superfluous to insist on its importance; for it is surely obvious that, if it be not absolutely necessary, it is at least desirable that the ministers of the Altar should be acquainted with the original language of the Inspired Writings. Hence it is

[68] *Analecta*, Sept., 1855, col. 1660, N. 66.

[69] *Cf. Coll. Lacens.*, VII, pp. 875 and 882 ff., and Martin, *Concil Vatic. documentor. collect.*, p. 172 ff.

scarcely surprising that, from the Council of Vienne to Leo XIII, the study of Hebrew has been sanctioned and encouraged by the Church authorities. All our leading universities and seminaries have their chairs of Hebrew, and some knowledge of the language is required for degrees in theology. But, as we all know by experience, a subject may be recognized in theory while it is neglected in practice, and there is good reason to fear that this is sometimes the case with our Hebrew studies. Some of us pass through the seminary without acquiring the merest rudiments of the sacred tongue. Only a comparatively small number are in a position to read the Old Testament in the original, and but fewer still extend their studies into the rich fields of Rabbinical literature. This is probably due, at least in some degree, to the exacting claims of other branches of sacred study of yet higher importance or greater practical utility. It would be a mistake to set up a rigid standard of ecclesiastical learning without making allowance for the circumstances of the time, of local needs, or differences of individual capacity. In days of poverty and persecution, we must not look for the learning of more peaceful ages, and in populous lands, where the clergy are but few in number, most of them will be fully occupied with active duties of missionary labor. Sometimes, again, those who have leisure and opportunity for learning will be more profitably employed in the defence of Catholic doctrine and the refutation of heresy than in the outlying regions of Biblical scholarship. It may be said that all these various causes have militated against us in the past, especially among the Catholics in lands of English speech. But now when many of the difficulties are happily passing away, when our numbers are increasing and many more pressing needs have been in some measure supplied, it is time that this important branch of sacred study should have its full share of attention. It is true, indeed, that much still remains to be done in other fields, in the exposition of dogma, in apologetics, and in philosophy. But, on the other hand, it may be fairly urged that adequate Hebrew scholarship is by no means a mere luxury of learning. It is one of the vital needs of the hour. In the presence of the Higher Criticism and the advance of modern Biblical science, Catholic scholars must spare no effort and neglect no resource in

order that their knowledge of the sacred text may not be below the standard of the rationalist writers. In this matter the learning of the theologian and the master of patristic exegetics will be of little avail without a scientific knowledge of the Hebrew original. And, on the other hand, much help may be gained from a judicious study of the chief sources of Rabbinical literature, the Targums, the Talmud, and the Midrashim.

II. St. Jerome and the Jews.

For this reason it may not be amiss to attempt to give our readers some account of these old Rabbinical writings, and their uses as an aid in the study of the Bible. But before doing this, we must say a word on the value of the existing Hebrew text, and on the trustworthiness of Jewish tradition; for, if we are not mistaken, a common prejudice on this subject is one of the chief causes of our comparative poverty in Hebrew scholarship. It is sometimes assumed or asserted that the original Hebrew has been superseded by the Latin Vulgate. As a matter of fact, the Tridentine decree simply declared the Vulgate to be authentic, and said nothing to affect the authority of the original. But, as a not unnatural reaction against Protestants who appealed to the existing Hebrew text and rejected the Vulgate, some of our controversialists have been led to disparage the Masoretic recension. It will be agreed that an accurate and authenticated translation may be justly preferred to a garbled and faulty copy of the original. And in the present case it may be further urged that the Church is the appointed guardian of the Scriptures; while, on the other hand, the Jews, apart from their liability to error, may be open to the suspicion of having corrupted the text in their own interest.

Curiously enough, the most effective refutation of this theory is found in the history of the great work achieved by St. Jerome. If the Vulgate version had been made in the days of the Apostles, and the Church had thus taken her Scriptures, so to say, straight from the hands of the old Synagogue, there might be something to be said for those who look askance at later Jewish tradition. But what are the real facts? The Christian Church had already been in existence for more than three hundred years; and she had

Greek and Latin versions of the Bible that had long been used in her Liturgy and expounded by the early Fathers. All this time the Jews had been in their present state of separation. If their tradition could not be trusted, if they were under temptation to corrupt the Sacred Text, there was ample opportunity for both fraud and error, and most of the arguments used to discredit the Hebrew Bible of to-day might have been urged with equal force in the fourth century. But in spite of all this, St. Jerome betook himself to his Jewish teachers, and the Church preferred his new rendering of the Hebrew Verity to her own venerable version.

III. Critical Value of the Vulgate.

Thus, when we seize its true significance, we find that the work done by St. Jerome and St. Damasus laid the foundations of Biblical scholarship; and, apart from the intrinsic worth of the version they have left to us, we owe them much for the bold and enlightened course which they adopted. It remains as a standing protest against prejudice and obscurantism; and it is surely no disparagement to the good work done by St. Jerome, if later students are encouraged to profit by his example, and endeavor to penetrate yet further into the meaning of the Hebrew Verity, or look for fresh light in the accumulated stores of Rabbinical learning. When we remember the difficulties with which he had to contend, and the somewhat free and hasty way in which some of his translation was done, we may reasonably hope that, at least in some passages, a more accurate rendering of the original is still attainable. But, whatever progress may be made in this matter, it may be safely said that the Vulgate version will never be superseded; and though proposals of a change have been made before now, and may possibly be renewed in the future, they will scarcely find favor with true scholars. For, besides its authoritative sanction and its venerable associations, the Vulgate version has a high critical value, which places it above any modern translation, however scholarly and accurate. Its antiquity makes it an independent witness for the text of the Bible, and, at least in some places, it may preserve readings of the original that are truer than those of the extant Hebrew copies. It may well

be that some Catholic writers are apt to exaggerate its merits; but, even from the standpoint of critical scholarship, its assailants are guilty of yet greater absurdity.

IV. The Hebrew Bible and the Vulgate in Agreement.

As it is now more than fifteen hundred years since the Vulgate version was made, and as text and translation have been handed down independently of one another, it is obvious that their agreement is an important testimony to the trustworthiness of them both. The same argument holds good when other ancient versions are found to be in agreement. But there are few instances in which the proof is so manifest and convincing as it is in the general harmony of the Vulgate and the Hebrew Bible. It is well to insist on this fact, as it is sometimes obscured by the course of religious controversy. When Protestants reject the Vulgate and betake themselves to the Hebrew, and Catholic writers dispute the trustworthiness of the Masoretic tradition, it might be thought that the two Bibles were hopelessly divergent from one another; but in truth this is very far from being the case. An English reader may readily see this for himself by comparing the Authorized Version, made from the Hebrew, with the Doway translation of the Vulgate, in those books which are really St. Jerome's rendering of the original, *e.g.*, Genesis or the Prophets. It cannot be denied that these independent versions are the same in substance. Much of the difference is confined to the language and phraseology, and this could scarcely have been avoided if the texts before the two translators had been identical. It is obvious that the Latin and the Hebrew must themselves be nearer together than their English versions; and it may be added that in some instances the Latin corroborates the present Hebrew text even where it does not convey the same meaning, *e.g.*, Genesis 49: 22.

Remarkable as this agreement is, it is scarcely surprising. We need not dwell on the causes which contributed to the preservation of the Latin Bible, its constant use in the Liturgy, the multiplication of copies, and the reverence accorded to its high authority; and in the case of the Jews some of the same forces were at work in a yet greater degree. The Jewish schools had sur-

vived the fall of Jerusalem; and when the land was lost and the Temple laid in ruins, the Books of the Law remained as the sole heritage of the nation, the object of loyal devotion and ceremonial observance. To modern minds there is something distasteful in a too close insistence on each word and letter in the law, and the reverence which forbade the removal of an obvious error in the sacred text may seem to savor of superstition; but as a means of preserving the text in its integrity, this exaggerated conservatism was invaluable.

V. Enduring Vitality of Rabbinical Literature.

While the Bible was the chief object of study in the Jewish schools, its text was not left in isolation, but became the centre and foundation of a large and varied literature. Readers of St Jerome can readily see how much that learned Father owed to his Jewish teachers, and even those who are disposed to put little trust in later traditions might well wish for an opportunity of studying in that earlier school. Happily the wish may even yet be gratified; for in the extant Rabbinical writings, in the Talmud and the Midrashim, these olden masters of Israel may still be consulted. As an instance of educational continuity, it is interesting to observe that these old Rabbinical classics still play an important part in the intellectual life of the Jews of our own day. This is especially the case with those who dwell in the East of Europe, in parts of Prussia, in Poland, and in Galicia. The late Emanuel Deutsch, of the British Museum, whose writings have sent some of us to the study of the Talmud, was brought up in his early years by a Silesian Rabbi; and some passages preserved in his literary remains give us a glimpse of the severe methods adopted by Jewish teachers. If Deutsch has expatiated on the attractive side of Talmudic studies, he makes no attempt to disguise their difficulty, and even opines that "in the whole realm of learning there is scarcely a single branch of study to be compared for its difficulty to the Talmud." But another Jewish writer, who also insists on this forbidding aspect of the subject, reminds us that there are further depths of mystery in the Cabbalistic literature, which is unintelligible to the great majority of Talmudists. Such, at least, is the opinion of Ahron Marcus, who claims that

the Von Hartmann's "Philosophy of the Unconscious" was anticipated by the speculations of Jewish mystics. The same ingenious author, who is a native of Galicia, contrasts the zeal of his Eastern brethren for Rabbinical learning with the state of those degenerate Jews who are infected by European culture; but that is a domestic difference which need not concern us.

In any case, these Jews of eastern Europe have given some practical proof of their zeal by their numerous editions of the classics of Hebrew literature. As printing first rose and flourished in the western parts of Europe, it need not surprise us to find that the *editio princeps* of the Talmud, like that of many another ancient classic, was published in Venice, and one of the most widely known of the later editions appeared in Holland, in the eighteenth century; but at the present day it would seem that the Jews of Poland and Russia have taken the lead in this matter. By many the Vilna edition of the Talmud is regarded as the best; and in our own collection of original Jewish authorities, the Rabbinical Bible, the Babylonian Talmud, and the Midrash Rabbah, though acquired at different times and in various places, were all of them published by the Jews of Warsaw. Our copy of the Jerusalem Talmud is the Venetian *editio princeps* of 1521.

VI. The Rabbinical Bible.

Each one of these ancient works may form the subject of later papers in these pages; but, for the present, a brief account of their main contents may suffice for this introduction to Rabbinical studies. The Bible naturally claims the first place, and it happens that the date of the aforesaid Warsaw edition is earlier than that of the Midrash or the Talmud. It might seem at first that there was less need of explanation here, for the name itself is enough to suggest at least some general notion of the nature of the work it describes; but, in truth, these simple words, "Rabbinical Bible," represent a literary organism of considerable magnitude and highly complex structure. The present edition, which was printed in Warsaw in the years 1860–4, is in twelve volumes in small folio; but it may be conveniently bound in four volumes of some 900 pages apiece. It need hardly be said that the original text of the Old Testament only occupies a small portion of these pages,

in spite of the fact that it is appropriately printed in larger type than the subsidiary matter. Next in importance come the Chaldee Targums, which are in parallel columns side by side with the Hebrew text. These valuable old versions carry back the memory to the day when the Jews first lost the familiar use of the Hebrew, and it became necessary to interpret the sacred text in the tongue acquired in the Babylonian captivity. The existing Targums were compiled at various dates in the early centuries of the Christian era; but it is highly probable that they embody many of the traditional renderings that were given orally in the days of the Second Temple. Their method of rendering is very various, ranging from simple translation to expository paraphrase. The oldest and simplest is the Targum of Onkelos on Genesis. In the Bible before us both text and Targums are printed in the ordinary square Hebrew character, and the vowels are pointed.

The two columns of text and paraphrase are set in the centre of each page, in the midst of a broad expanse of commentary in the round Rabbinical character. The scholastic student may be reminded of the old editions of St. Thomas, where the text of Aristotle floats in the midst of an ocean of commentary. But in that case the exposition is one and continuous, while here it comes from many minds, and is mapped out in separate compartments. Thus in the Book of Genesis, the comments of the two great mediæval doctors, Eben Ezra and Rashi, are on either side at the top of the page, while two others run below them; and besides all these commentaries, there are the Masoretic notes with their detailed enumeration of all the verses, words, and letters in the sacred text; and the margin is sown with variant readings and Talmudic references, not to speak of the prefaces to each of the books, the additional Targums, and the Haftoroth, or liturgical lections.

VII. A Biblical Cryptogram.

It may be of interest to take an instance in which the Targum and the commentaries combine in relieving the obscurity of a passage in the original. In the twenty-fifth chapter of Jeremias, the prophet gives a list of the kings who are made to drink "the cup of the wine of this fury," and adds, "and the king of Sesach (Heb. and A. V. Sheshach) shall drink after them." We turn to

the Targum and find something much more intelligible—"the king of Babel." But how can this be derived from the text? The answer is supplied by the commentators. On the mysterious "Sheshach" Rashi observes, "this is Babel in the *Athbash;*" and Kimchi says, more explicitly, "Sheshach is Babel in the *Athbash* alphabet." The name *Athbash* itself indicates the nature of the cipher, for it is composed of the first and last letters of the Hebrew alphabet. And the meaning is that *Aleph*, the first, is to be represented by *Tau*, the last; and *Beth*, the second, by *Shin*, the penultimate. In other words, it is the cipher of the inverted alphabet. In the case before us, the two *Beths* in Babel become *Shin*, and *Lamed;* the eleventh letter of the alphabet is replaced by *Caph*, which is the eleventh in the inverted order. Thus *Babel* becomes *Sheshach*. It is interesting to note that while St. Jerome has preserved the Hebrew word in the Vulgate version, in his commentary on the passage he adopts the Rabbinical interpretation.

The same cipher is also used in Jeremias 51: 1. Here the Hebrew words *Leb kami* (לב קמי), which the Vulgate renders "qui cor suum levaverunt contra me," and the A. V., "in the midst of them that rise up against me," appear in the Targum as "the land of the Chaldeans." And here again the clue is supplied by the commentators. The word Casdim (כשדים), Chaldeans, written in the *Athbash* or inverted alphabet, is "Leb kami."

VIII. Vulgate and Targum in Agreement.

As a further instance, we may take a passage in which the reading of the Vulgate is supported by the Targum. In our translation of the Latin we read in Proverbs 31: 6, "Give strong drink to them that are sad; and wine to them that are grieved in mind." But the Authorized Version, following the Hebrew, has "Give strong drink unto him that is ready to perish." Now the Targum in this passage has *abele*, "them that mourn," which answers to the Vulgate *moerentibus*. As the Septuagint and the Syriac also agree in this reading, the balance of the evidence is clearly in its favor, for it would be strange if four translators had fallen into the same error; but this conclusion may be confirmed by the following consideration. The similar

letters of the Hebrew alphabet are a fruitful source of blunders, and besides those which are alike when clearly written, there are others which are liable to be mistaken for one another if some slender stroke is faint or faded. Such is the case with the final letters of the two verbs *abal* (אבל), to mourn, and *abad* (אבד), to perish. And it can hardly be doubted that this similarity was the source of the blunder. If we had only the text and the Targum to consider, there might still be some question as to which was the original reading. But the evidence of the Septuagint should be decisive on this point; for that version was made when the Bible was still written in the old Hebrew, or Samaritan alphabet, in which the letters *Lamed* and *Daleth* are wholly dissimilar.

IX. The Babylonian Talmud.

The Talmud of Babylon is a work of yet greater magnitude than the Rabbinical Bible. In most of the earlier editions in large folio size, it fills twelve goodly volumes. The present Warsaw edition runs to about twice that number; but, in the copy before us, some of the more slender tomes are bound up together, and the tale is reduced in appearance to eighteen. Considering its size and the vast amount of matter in its closely printed pages, it was put through the press rather rapidly, some ten volumes appearing in the course of 1889, but a few are dated in the early eighties. Though there is a considerable difference in the nature of their contents, the pages of the Talmud bear a curious resemblance to those of the Rabbinical Bible. Here again we find a central column of text in the square Hebrew type, surrounded or followed by a dense array of commentaries in the Rabbinical character. But here the text is in a single file, and vowel points and accents are conspicuous only by their absence.

X. Mishnah and Gemara.

When the central text of the Talmud is examined more closely, a further point of resemblance is discovered. For here again we find two distinct elements, one in Hebrew and the other in Aramaic, though the line of division is not so clearly marked as it is in the case of the Biblical text and Targums. Instead of being set in separate columns, they flow on in one complex mass, passages from the Hebrew *Mishnah* and the Chaldaic *Gemara*

following each other in turn, printed in the same type, and only distinguished by the abbreviated headings *Mithn'* and *Gem'*. As the *Gemara* is much longer than the Hebrew groundwork, this is a great saving of space. But, apart from this practical advantage, the existing arrangement rightly represents the relations of these two elements in the Talmud. The *Gemara* was originally an exposition of the older *Mishnah* or traditional law, but it is by no means confined to that humble office. As its greater length indicates, it adds a large amount of new matter; and in the course of time it has acquired an authority that lifts it to the level of the earlier element. In language, again, the two strains, though still distinct, are drawn nearer together than the Bible text and Targum. For, though it is true that the *Mishnah* is in Hebrew and the *Gemara* in Aramaic, the former is a later Hebrew that has lost its original purity and acquired an Aramaic flavor, while on the other hand the *Gemara* is infected by an infusion of Mishnic Hebrew. Here it may be well to add a word on the meaning of the names *Mishnah* and *Gemara*. The body of laws gathered together in the earlier portion of the Talmud might be distinguished from the law of Moses as the "second law," or as the "traditional law." Curiously enough, the word *Mishnah* is susceptible of both meanings, for the root from which it is derived may mean either duality or teaching. From the frequent use of the verb *thana*, the Aramaic equivalent of *shanah*, in the Talmud, it might seem more probable that the name was originally applied in this latter sense. But *Mishnah* is more generally explained as being much the same in meaning as *Deuteronomium*. *Gemara* may also be explained in two ways, either as the "complement" of the *Mishnah*, or as merely another word for tradition or doctrine. The word Talmud itself signifies "doctrine," being a derivative of the root *lamad*, to teach.

XI. Historical Evolution of the Talmud.

Besides the language of the *Mishnah* and the *Gemara*, we may notice the presence of two other elements,—the pure Hebrew of the numerous Biblical quotations, and the later style of the Rabbinical commentators. A comparison of these various idioms may be of no little interest to the scientific philologist; but, what

is more to our present purpose, this strange medley of languages and dialects throws some light on the historical evolution of the Talmud, and attests its trustworthiness as a document of religious tradition. To the discerning student every page bears manifest tokens of antiquity, and shows traces of all the various stages through which this vast body of doctrine and discipline, and laws and legends, has grown into being. After the Babylonian captivity, the Hebrew tongue had faded from the memory of the Jewish people; and the Bible, though still publicly read in the original, had to be explained in the Aramaic vernacular. But for a time the Hebrew held its own in the Rabbinical schools, and the traditional laws were handed down from master to disciple in the sacred tongue. Like our own Latin, this Hebrew of the schools was modified in many ways, new words were coined or imported, and the style was affected by Aramaic influence. This is the language of the *Mishnah*, the body of traditional laws which forms the groundwork of the Talmud. But in the early centuries of the Christian era there was a further change, and the Aramaic penetrated into the schools. Hence the next part of the Talmud, the *Gemara*, was written in this language. Later on, when the Aramaic in its turn had faded from common use, and was only acquired by the learned, there was a natural tendency to return to the sacred tongue, and the idiom of the *Gemara* was superseded by the Rabbinical Hebrew of the commentators.

Somewhat similar changes may be seen in our own theological literature, as it passes from the rugged eloquence of the African Fathers to the philosophic diction of the schoolmen and the more classic style of modern theologians; and the resemblance would be greater if the recent tendency to use the vernacular had been anticipated in some earlier period. This comparison, we may add, suggests a further reflection. We have learned of late to grasp the unity of many a national literature, and to trace its gradual growth in the course of ages; but nowhere is this truth more plainly written than it is in the pages of this Hebrew classic. For, in truth, the Talmud is not a book, but the literature of a nation, welded together in one organic whole.

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INDIVIDUAL INSTRUCTION IN ELOCUTION.

> "The preacher speaks as nobody in the world ever spoke: he bawls, chants, or sings, without modulation and without feeling."
>
> —THE ABBÉ MULLOIS.

THE world is full of professors and manuals of elocution. And what is Elocution? We know that Demosthenes summarized the subject of eloquence in the three words, action, action, action. The remark would be even truer of Elocution, which is singularly the art of action. Whether given in many or few words, a definition of Elocution will take cognizance of the fact that it is essentially the vocal expression of thought, with some attempt to emphasize or illustrate its meaning. The professional elocutionist will speak of the Art of Elocution—a collection of rules governing such expression for the purpose of making the thought "clear and impressive." Both styles of definition are sufficiently correct. But a further question precipitates endless discussion: "What are the principles and rules of the art?" Immediately the different and differing schools spring into existence, each professing to possess the only rational answer.

This is what one of the more recent books on the subject has to say of the "systems": "This is the shortest treatise on the Art of Reading that has ever been written in the English language; yet, short as it is, it is of more practical value than are all the others—which is not saying much in its praise, for all the others are of no practical value whatever." The author is the accomplished elocutionist, Alfred Ayres; and if we may judge of the truth of his statement by inspecting the graduates of the "systems," with their too frequent mannerisms, mouthings, and wholly unnatural modes of voicing thought, we should perhaps be inclined to conclude that a blank sheet of paper would be of more practical value than all of the systems. For the art of Elocution should be, like its sister art of music, a collection of experimental deductions and generalizations of observed phenomena, rather than a set of arbitrary, *a priori* rules or speculations. And such a collection should be suggestive rather than prescriptive in its tendency. For different natures will express the same emotions in widely differing modes of action; and the folly of the systems (to our lay apprehension) seems to lie in their attempt to

make one suit of clothes fit the whole fraternity of public speakers. It is scarcely a matter for surprise that the misfits should be so frequent and so laughable. The well-dressed man is, according to the famous dictum of Samuel Johnson, the man whose dress calls no attention to itself. *Ars est celare artem.* How many elocutionists conceal their art?

The chief merit of a professor of Elocution will be found in the insistence with which he strives to remove obvious defects, rather than in his attempts to expound a coherent system. I have heard a "brilliant young elocutionist," who had won all manner of golden opinions from his professor, perpetually dropping the final "g" in his participles. If elocution be a difficult art, then in this particular case "I would it had been impossible" (as Dr. Johnson remarked of a certain "difficult" piece of music he listened to).

In a previous paper on "Individual Instruction in Homiletics," the present writer offered some suggestions in the matter of mistakes in English. This paper will concern itself with a similar field in the matter of Elocution. It will be brief, not because there is little to say, but rather because the choice lies only between brevity and a volume.

The present paper, like its predecessor, contemplates the correction of the most elementary errors. But the number of students who, despite their advanced course in the higher seminary, err in the fundamentals of Elocution, is much larger than the number of those who err similarly in English. Still, the suggestions before made will apply in the matter of Elocution. Let it be repeated, then, that correction in the classroom is apt to be worse than useless. All the objections urged previously against such a method in dealing with English receive an added emphasis from the pitiable embarrassment and nervous self-consciousness—the real "stage-fright"—of a backward pupil who is suddenly snatched from the comparative privacy of his desk, and compelled to stand forth alone and helpless before an audience of his fellows. He cannot banish from his mind the conviction that they are his harshest critics; that his performance will provide merriment for a whole week, if indeed it prove not a nine-days' wonder. He would rather face the congregation of a cathedral,

"the very flower of Europe, or a Vatican Council." Impatient rebuke unnerves him; professorial pleasantries incense him; patient kindness moves him to tears. He is meanwhile conscious, throughout it all, of an indignant protest against the whole miserable travesty; but he cannot put his protest into articulate speech, nor can he even analyze it with patience.

In such a case it ought to be very clear that the privacy of the professor's own room should witness the first lessons imparted. There alone should the ungainly port and the awkward gesture, the uncouth accent and the vocal mannerism, be gently discovered, demonstrated, and amended. Only after such preparatory training should the pupil be encouraged to face the ordeal of publicity.

But better all these serious defects than a facile or even elegant manner coupled with slovenliness in pronunciation. The awkward sermonizer may be judged with some degree of gentleness; but the slovenly speaker is sinning against his gifts, and must be condemned. Does the slovenly man exist in the higher seminary? He is, we fear, frequent enough to justify the suggestion that every professor in every seminary faculty should join in a crusade against him.

Two examples of mistakes, which in themselves are perhaps of no very great importance, but which, because of their feathery lightness, may best warn us which way the wind is blowing, may serve as illustrations. The dropping of the "h" from such words as *when*, *where*, *whither*, *while*, *which*, etc., is so common a colloquialism as to pass almost unnoticed amongst us. In the formal utterance of the pulpit, however, it becomes immediately noticeable and unpleasant. It is an evidence of slovenliness such as may be pardoned in familiar conversation, but is well-nigh intolerable in formal discourse. Unfortunately, the simple Anglo-Saxon vocabulary of the Gospels offers the widest field for the display of this slovenly habit. I open a book containing the Gospels, and select for illustration the first lines that fall under my eye. Six sentences offer five opportunities for the slovenly preacher, in the words *which* (occurring twice), *when*, *whence*, *what*. The same six sentences offer ten opportunities for a similar carelessness in respect of the words *he*, *him*. We have, then, in a short example

chosen at random, no less than fifteen opportunities, all of which, let us be assured, our ambassador of Christ will use in the following fashion:

> "After these things, Jesus went over the sea of Galilee, w'ich is that of Tiberias. And a great multitude followed 'im; because they saw the miracles w'ich 'e did upon those that were diseased. Jesus, therefore, went up to a mountain, and there 'e sat with 'is disciples. Now, the Pasch, the feast day of the Jews, was at hand. W'en Jesus, then, had lifted up 'is eyes, and saw that a very great multitude was come unto 'im, he said to Philip: W'ence shall we buy bread that these may eat? And this 'e said to try 'im; for he 'imself knew w'at 'e meant to do."

In this brief quotation, which constitutes but one-third of the Gospel selection, the "h" has not been dropped in those places where its omission would involve a pure cockneyism, but simply in the fifteen instances which illustrate our young preacher's avoidance of effort. If this proportion be carried throughout the whole Gospel selection, what shall we have but a travesty of the simple dignity and power of its diction?

The second illustration which may be offered is commonly esteemed a more vulgar one, and is therefore less excusable in the preacher. It is found in the dropping of the "g" from such words as *length*, *strength*, and the ending of the present participles of verbs. Such carelessness would not escape notice even in conversation. In the solemn silence of the church and in the formal utterance of the pulpit, it provides the congregation with a ready basis of generalization as to the preacher's culture; and so schoolmasterish is the trend of popular education in our day, that a sufficiently large proportion of the audience may be really "shocked" at hearing a preacher discourse on "The Teachin' Power of the Church."

In cases like this, we have to deal not with a student who is ignorant, but with the victim of an inveterate habit of carelessness. One, or two, or a hundred corrections will not suffice to quicken his lethargic speech into decent activity. And well might every classroom prove the arena, and every professor the protagonist, of reform in such a regrettable state of affairs.

Finally, a suggestion might be made respecting the manner of reading the Gospels and Epistles. It is surely pitiful that any graduate of a long seminary course should, by his hesitation or by his neutral (and sometimes wrong) emphasis, illustrate in his own person the remark of St. Peter, that there are, in the Epistles of his brother Paul, some things hard to be understood. It is, indeed, a matter for deepest regret if his whole manner should display a lack of appreciation, not merely of the spiritual unction, but as well of the intellectual content, of the Epistles; and that, like Milton's demons reasoning high—

"Of providence, foreknowledge, will, and fate—"

he should grope blindly amidst St. Paul's argumentation—

"in wandering mazes lost."

We are supposing, on the contrary, that the preacher has prepared himself for the reading, and that he may not fairly be asked by some modern Philip, "Understandest thou what thou readest?"

The Gospels and Epistles demand the best kind of elocution in their delivery; and the "best kind" excludes every approach to the "fancy" elocution ordinarily taught; for the noble simplicity of these Biblical texts will not tolerate the "properties" of the elocutionist. There is no room in them for the play of human passion. Mouthings, hissings, explosions, *diminuendo* and *crescendo*, will not avail to cover up the essential defects of a poor elocution. Because the preacher feels instinctively that this is true, he is in not a little danger of forgetting that their dignity and sublimity call for more than a perfunctory reading. Their lessons can often, by a just emphasis and an artistic expression preserving their simplicity, be brought home to the intelligence of the hearer with such force and clearness as to render superfluous any comment or further elaboration in the sermon itself. The Gospels, especially, should not be considered as mere texts for a sermon; they are themselves, in many instances, the greatest traditional sermons—even those of the Great Preacher, Christ. Merely to read these with proper unction and intelligence and expression, would more than satisfy for the Sunday discourse.

That tradition seems to be an unfortunate one which has turned the Gospel selections into the merest pegs on which to

hang an original and, relatively, a very inferior discourse. But perhaps the most exasperating treatment they can undergo is that which merely paraphrases them, repeating their simple, cogent, direct lessons in a phraseology whose ponderous verbiage and inconsequent reasoning may serve but to obscure what is already clear, and whose intolerable lengthiness cannot but dissipate their sweetness into the most watery possible of dilutions. An illustration of my contention is furnished by Father Appleton's *Analysis or Familiar Explanation of the Gospels.* The pathetic utterance of our Lord at the Last Supper: "And none of you asketh me, Whither goest thou?" is elaborated as follows:

> "Not one among you, he says, seem (*sic*) so concerned at the news of my departure, which I announce, thus in form, as to be desirous to enquire whither it is I am going."

The simple phraseology of the next sentence:

> "Because I have spoken these things to you, sorrow hath filled your hearts,"

seems to offend the commentator; for he continues to render simple thoughts in a "dignified" way:

> "Because I have thought fit to inform you that I must very shortly leave you, you are depressed, says Christ, with anxiety."

These illustrations are offered here, not in the spirit of a criticism of Father Appleton, of course; for he has long since passed beyond either censure or praise of earth. It was, nevertheless, an ill-advised project to publish the volume upon which he spent so much earnest, painstaking, conscientious effort; for the publication of the volume tended to perpetuate a system of phraseology that has been decently interred in all but a few places. We have just said "a system of phraseology;" for the elaboration of simplicity into pompousness has been systematic, rather than spontaneous, in the past. But while such a system has passed into disfavor everywhere, the practice of repeating the simple narrative of the Gospel in more extended phraseology has unfortunately survived. And the volume from which we are extracting, or the practice of some present-day preachers, may still tend to perpetuate what we cannot but consider an undignified way of

treating the Sacred Text. Commentaries may be useful and at times necessary for a thorough understanding of its content; but a good manner of reading will, in most cases, render such comment unnecessary for the congregation. Generally, however, the comment is not even illustrative, as witness the following (from the same volume):

"But I tell you the truth, it is expedient for you that I go." The paraphrase remarks:

> "The thought, says Christ, of my quitting you, seems to cause you much uneasiness. But it is inconsistent with reason to indulge any disquietude on this account; for I tell you, with truth, he adds, that it is entirely for your advantage that I withdraw myself from you."

In a similar way, the strenuous cry of the Precursor: "Prepare ye the way of the Lord, make straight his paths," is mellowed into Father Appleton's polite request: "Remove every impediment that may be likely to obstruct his passage." The process of painting the lily continues, when the sentence: "Jesus then said: Make the men sit down," is changed into "Our Saviour, upon this, bids his disciples apprise the people that he wished them to sit down."

Entertaining all this is (and perhaps instructive) to the marvelling reader or hearer; but the verge of the farcical is certainly reached in the elaboration of the words: "Now, there was much grass in the place," into the long paraphrase (with its ludicrous *finale*): "It happened, fortunately, that on the spot where this crowd was collected, there was a sufficiency of herbage to afford them a good seat."

If the Gospels be read in a slovenly and perfunctory way, it may serve some purpose to repeat their substance in an elaborate, original paraphrase. But the pupil should be sedulously instructed in the propriety of so reading them as to render comment and elaboration as unnecessary as may be.

Consulting for brevity, we must relinquish further illustration. Enough has been given, doubtless, to make the moral of our two papers on Homiletics clear. The higher seminary might well devote itself to the removal of the obvious and fundamental defects of even a very few students, rather than to the cultivation of

the excellences of the many students. For the student who is very poor in English, or in elocution, *must* speak and preach, will-he nill-he, in a dozen functions of his future ministry. His necessities in this respect are practical, are inevitable, are frequent, are widespread. In view of this certain future, the seminary should either dismiss him or should fit him for duties of practical, rather than for those of theoretical importance; for duties of inevitable, rather than for those of problematical occurrence; for duties of frequent, rather than for those of infrequent occurrence; for duties of widespread, rather than for those of restricted value.

It would be a hazardous thing to undertake the assigning of relative values to the studies pursued in a higher seminary. It is preferable to illustrate by choosing, from the college course, some such branch as Latin prosody. No one will deny the utility of such a study. The knowledge of Latin pronunciation gained through its means is not merely ornamental, but is of undoubted value to the priest, since by his very profession he is supposed to have mastered Latin. It is very clear, nevertheless, that he might blunder through a long lifetime in his Latin pronunciation, and might escape censure—might escape even notice—from the public; while a blunder in English pronunciation would be immediately detected, and would very likely be made to serve as a basis for a false, but quite natural, generalization as to his culture. People must judge a priest by the faults made obvious to them, rather than by an exquisite Latin culture of which they must ever remain oblivious. It would seem fair to conclude, therefore, that more attention should be paid to English pronunciation than to Latin prosody, and an error in the former be more vigorously prosecuted than a lapse in the latter. This is practical and not theoretical training; it is a training in duties of inevitable and frequent, and not of possible or problematical occurrence; it is a training which looks first to what is of widespread importance, rather than to that which is only of very restricted value.

Taking this view, then, of the functions of a seminary training, we can scarce conceive a subject to which greater attention should be paid than that of preaching. First of all, it is an inevitable duty of the priest. He may live a long life without encountering

any real necessity for a knowledge of the refinements of Dogmatic disputation, of Biblical exegesis or criticism, of Canon Law or of Liturgy. It would indeed be a pity that his ignorance of such refinements should be detected at any time; for his course in the seminary has paid not a little attention to them. He can, however, always plead the excuse of "rustiness." And it may easily be that he shall not need to urge any plea whatever; for the necessity for such knowledge is, in the great majority of cases, rather remote; and the task of meeting such a necessity may fairly be considered a burden appropriate to specialists in ecclesiastical science. But the necessity of preaching is immediate and inevitable. Secondly, this necessity of preaching is not occasional and infrequent; it is not a yearly, a monthly, or even a weekly duty. In its essential requirements, it follows the preacher from the pulpit to the confessional and to the sick-room. It can be of service to him in nearly all his ministerial functions, and should dignify his daily converse with his people. For he is to be a man of God, and cannot but speak the things which are of God. If, then, his speech be hesitating and confused, involved and ungrammatical, vulgar and commonplace; if the very accent be rude and incorrect; if the very voice be rough and uncultivated, is there not danger that he will but exemplify the rebuke: *Ex ore tuo convinco te?* And can the seminary set over against even one such failure the prodigious theological attainments of its gifted graduate?

CENSOR.

Analecta.

E S. CONGREGATIONE EPISCOPORUM ET REGULARIUM.

I.

APPROBATUR CUM SUIS CONSTITUTIONIBUS INSTITUTUM SORORUM QUAE SERVAE A S. JOSEPH NUNCUPANTUR, IN HISPANIA.

DECRETUM.

Anno Domini 1874 Salmanticae in Hispania, auspice ejus Ecclesiae Antistite fel. rec. Joaquino Lluch et Garriga, qui postea ad Hispalensem Archiepiscopatum translatus et in sacrum Purpuratorum Patrum Collegium cooptatus fuit, ortum duxit Institutum Sororum quae Servae a S. Josepho, vulgo "Siervas de San José" nuncupantur. Id sibi uti peculiarem finem sive scopum enunciatae Sorores proponunt, ut primum quidem propriae consulant sanctificationi per vota obedientiae, paupertatis, et castitatis certamque vivendi normam suis in constitutionibus praescriptam, tum vero sedulo incumbant ad institutionem piamque educationem puellarum nec non puerorum qui septimum aetatis annum nondum excesserint, eorumque praesertim, qui parentibus sunt orbati. Omnes autem eodem victu cultuque utuntur sub regimine Mod-

eratricis Generalis, et exacto novitiatu, recensita tria vota, prius ad tempus, dein in perpetuum ritu simplici emittunt. Complures jam sunt Instituto domus, eaeque, non solum in Salmanticensi sed etiam in Pacensi, Conchensi et Matritensi Dioecesibus canonice erectae, ubique autem praefatae sorores superna favente gratia, adeo suavem Christi odorem effuderunt, tamque uberem salutarium fructuum copiam edidere, ut tum populorum tum sacrorum Praesulum admirationem ac propemodum venerationem sibi affatim conciliaverint.

Itaque cum nuper Moderatrix Generalis, omnium Consororum nomine Sanctissimo Domino Nostro Leoni Divina Providentia Papae XIII pro Apostolica approbatione humillime supplicaverint, Sanctitas Sua, re mature perpensa, attentisque praemissis et praesertim commendatitiis litteris ab Ordinariis praefatarum Dioecesium jam ultro datis, in audientia habita ab infrascripto Cardinali Sacrae Congregationis Episcoporum et Regularium Praefecto die l.ª hujus mensis, praedictum Institutum cum suis constitutionibus approbare et confirmare dignata est salva Ordinariorum jurisdictione ad formam sacrorum Canonum et Apostolicarum Constitutionum.

Datum Romae ex Secretaria eiusdem S. Congregationis Episcoporum et Regularium die 8 Julii 1901.

FR. HIERONYMUS M. *Card.* GOTTI, *Praef.*
A. PANICI, *Secrius.*

II.

CIRCA REELECTIONEM ABBATISSARUM SEU SUPERIORISSARUM.

Beatissime Pater:

Archiepiscopus Compostellan. ea quae sequuntur Sanctitati Vestrae exponit: In sua Archidioecesi varii existunt monialium Conventus in quibus vocales tertio quoque triennio Abbatissam vel Priorissam eligunt, etiamsi in Constitutionibus—Recolectarum—S. Augustini, quarum tria numerantur monasteria, praescribatur, Priorissa ultra decennium eligi nequeat. In Constitutionibus praefatorum Conventuum, pro nonnullis legitur: Superiorissa iterum eligi nequeat; pro aliis vel, prohibetur vel tacetur nova electio Superiorissae.—Cum in Constitutione, *Exposcit debitum*, 1 Januarii 1583, Gregorius XIII jussisset munus Priorissae ultra

triennium perdurare nequeat et expleto triennio nullam habeat in monasterio auctoritatem, et hoc sensu pluries respondisset S. Congregatio Episcoporum et Regularium, Orator nonnulla dubia proponit.

I. Quaeritur si memoratae Constitutiones et resolutiones datae fuerunt pro Ecclesia universali et observandae sint?

II. In casu negativo possunt-ne iterum eligi Superiorissae illorum Conventuum quorum Constitutiones vel de hac electione tacent vel permittunt novam electionem Superiorissae?

III. In utroque casu numeri II^{di} et pro monasteriis in quibus expresse permittitur nova electio Superiorissae, quaeritur: pro huius electionis confirmatione sufficit auctoritas Ordinarii vel recurrendum erit ad S. Sedem?

Et Deus...

Sacra Congregatio Em.orum ac R.morum S. R. E. Cardinalium negotiis et consultationibus Episcoporum et Regularium praeposita super praemissis dubiis respondendum censuit prout respondet: Ad I. affirmative.—Ad II. provisum in primo.—Ad III. quatenus Constitutiones sileant, vel expresse dicant post triennium eligendam esse aliam Abbatissam seu Superiorissam, reelectionem ejusdem personae ad munus Abbatissae seu Superiorissae indigere confirmatione S. Sedis: quatenus vero Constitutiones approbatae a S. Sede post enunciatam Constitutionem Gregorii XIII, permittant hujusmodi reelectionem, servandum esse tenorem earumdem Constitutionum.

Romae 4 Maii 1901.

FR. H. M. *Card.* GOTTI, *Praef.*
A. PANICI, *Secrius.*

E S. POENITENTIARIA.

I.

RESPONSUM DIEI 17 M. JULII 1901 DE INTERPRETATIONE NOMINIS PAROCHI IN FACULTATIBUS QUINQUENNALIBUS PRO FORO INTERNO.

Beatissime Pater:

Inter facultates a Sanctitate Vestra per litteras S. Poenitentiariae diei 30 m. Aprilis h. a. pro foro interno in quinquennium benigne mihi prorogatas habetur n. XI etiam ea parochis huius

Archidioecesis habitualiter subdelegandi facultatem dispensandi super occulto impedimento affinitatis ex copula illicita in matrimoniis contrahendis, quando tamen omnia parata sint ad nuptias. Iamvero circa interpretationem huius verbi parochi dubium exsurgit. Sunt enim in hac Archidioecesi praeter parochos canonice institutos alii sacerdotes, rectores sic dicti, qui territoriis separatis quidem praesunt in iisque curam animarum habent ac iura quasi-parochialia exercent, quin tamen parochi veri nominis dici possint.

Nam in hisce regionibus industrialibus ob multitudinem populi christiani in dies accrescentem, ut animarum saluti melius provideatur, a parochis separentur districtus in iisque proprii constituantur sacerdotes iuribus quasi-parochialibus praediti necesse est. Ad constituendam vero novam parochiam procedi nequit absque interventu regii gubernii, quod iuxta leges civiles hac de re latas ad novam parochiam erigendam suam debet interponere auctoritatem. Itaque haud raro fit, ut ob defectum conditionum a iure civili requisitarum nova parochia nondum erigi possit, quamvis attento solo iure ecclesiastico omnia quae ad talem dismembrationem faciendam requiruntur, facile praestari valeant.

Quibus praemissis quaeritur:

1°. An sub nomine parochorum in citatis litteris S. Poenitentiariae veniant rectores sic dicti, qui in districtu aliquo curam animarum exercent, quin parochi veri nominis dici possint.

2°. An sub eodem nomine comprehendantur etiam ii sacerdotes, qui durante vacatione parochiae, vel occasione infirmitatis vel absentiae parochi, tamquam administratores parochiae deputantur.

Et quatenus negative, humillime supplico Sanctitati Vestrae, ut attentis peculiaribus circumstantiis in hac Archidioecesi, facultatem iuxta praefata extendere dignetur.

Et Deus.....

Coloniae, die 17 m. Junii 1901.—De mandato R.mi Archiepi absentis, *Vicarius Archiepi Glis.*

Sacra Poenitentiaria mature consideratis expositis super praefatis dubiis respondet:

Affirmative ad utrumque.

Datum Romae in S. Poenitentiaria, die 17 Julii 1901.

B. Pompili, *S. P. Datarius.*

R. Celli, *S. P. Secr.*

II.

Responsio circa casum onanismi.

Joannes parochus manus vestras humiliter osculatus casum sequentem reverenter exponit:

Titius parochianus, dives, honorabilis, litteratus, ac bonus christianus, in confessione de usu matrimonii prudenter interrogatus, confitetur se cum uxore, etiam aliquatenus repugnante, coitum semper abrumpere ne sequatur proles; et a me quaesitus, fatetur se ferme semper extra vas mulieris seminare; a me redargutus, statim reponit se ita agere propter duplicem rationem: 1° ne prole numerosiore status familiae dejiciatur (jam enim habet filium et filiam); 2° ne uxor iterata graviditate nimium defatigetur. Qui de inanitate harum rationum a parocho admonitus, reponit hunc agendi modum ipsi probatum fuisse a quodam perillustri confessario, in quodam recessu quem nuper in quadam communitate peregit, modo maritus in actu intendat sedationem concupiscentiae, et non pollutionem.

Joannes parochus, miratus hunc praeclarum confessarium, qui nuper in quodam majori seminario theologiae moralis lector fuerat, talem agendi modum probasse, nihilominus Titium in hoc agendi modo perseverare volentem, absolvere non est ausus. Titius vero de sua dimissione offensus suum parochum ignarum ac superbum ubique praedicat, utpote sententiam aliorum corrigentem et onera importabilia poenitentibus imponentem.

Joannes parochus, his omnibus permotus, quae in detrimentum parochi, imo et ipsius religionis multum cedunt, ab Eminentia vestra humiliter ac reverenter exposcit:

Quidquid sit de praeterito, quomodo se gerere debeat cum Titio qui probabilissime ad confitendum revertetur et in sua agendi ratione pertinaciter perseverabit?

Et Deus.....

Sacra Poenitentiaria, mature consideratis expositis, respondet: Parochum de quo in casu recte se gessisse, atque absolvi non posse poenitentem qui abstinere nolit ab hujusmodi agendi ratione, *quae est purus putus onanismus.*

Datum Romae in S. Poenitentiaria, die 13 Novembris 1901.

L. ✝ S.

Conferences.

THE ECCLESIASTICAL REVIEW proposes to answer in this department questions of general (not merely local or personal) interest to the Clergy. Questions suitable for publication, when addressed to the editor, receive attention in due turn, but in no case do we pledge ourselves to reply to all queries, either in print or by letter.

OUR ANALECTA.

The Roman documents for the month are:

I.—S. CONGREGATION OF BISHOPS AND REGULARS:

1. Issues formal decree of approbation of the Institute of Spanish Sister-Servants of St. Joseph.

2. Answers a dubium as to the right to reëlect a Superior for the third term in the case where the Constitutions of the Order forbid such reëlection, by deciding that the reëlection is unlawful.

II.—S. CONGREGATION OF THE POENITENTIARIA:

1. Explains the meaning of the term *parochus* in the formula of faculties dispensing "super occulto impedimento affinitatis ex copula illicita in matrimoniis contrahendis, quando tamen omnia parata sint ad nuptias." The term applies not only to canonically erected parishes, but also to all rectors of churches and to those who legitimately hold the place of the parish rector in the exercise of the parochial functions.

2. Decides a *dubium* in a case of conscience "de onanismo."

IS A DOUBLE MARRIAGE CEREMONY EVER COUNTENANCED BY THE CHURCH?

Qu. Would you allow me to trouble you with one or two questions?

I. What is the law of the Church with regard to a double marriage ceremony where one party is Catholic and the other Protestant? I have always maintained that submission to the Protestant ceremony was practically excommunication for the Catholic party, or at the very least a grievous sin. This has been so often disputed with me, and several instances quoted, that I am induced to ask for a positive statement of the Church's position. Some two or three years ago an Englishwoman in Dresden positively declared that her sister had gone through the double ceremony, the sister, of course, being a Catholic. I have also seen statements of such marriages in the newspapers, but assumed always that the "Catholic" party was not genuinely Catholic. Recently comes up the case of Chauncey Depew and Miss Palmer, which is too manifest to be waived off, and which the ——— (a Catholic journal), as you see by the enclosed slip, seems to justify, with the proviso that the Catholic ceremony take place first:

"The inverted mind of an evening contemporary could not help showing itself in the description of the marriage of Mr. Depew and Miss Palmer last week. 'Protestant and Catholic ceremonies,' it wrote in its artistic headlines, 'followed the civil rite.' And then the reader who went beyond the headlines discovered that the story thus stated was a petty fraud. *The Catholic ceremony, as a matter of course, was first.* But in order to gratify the miserable pride of some stupid readers the headline writer had to place himself publicly in the position of a falsifier of chronology, and so in a moral pillory. He certainly deserves our commiseration, for he earns his money hardly."

II. Is it allowable for Catholics to act as bridesmaids or groomsmen at *any marriage*, whether in a church or in a private house, at which the ceremony is conducted by a Protestant minister, or at a purely civil marriage?

III. Since the Church does not recognize divorce, how could Cardinal Fesch perform the marriage ceremony over Napoleon and Marie Louise? I confess I am rather ashamed to ask this last question, but I have never specially read up the Napoleon divorce, and have no authorities at hand which I could consult for a succinct answer.

C. H. E.

Stuttgart, Germany.

Resp. The legislation of the Catholic Church does not countenance the celebration of the marriage ceremonial by any other official but the priest. If a Catholic party, proposing to enter the marriage contract with a Protestant, consents, for the sake of compromise on religious grounds, to have the rite performed in a Protestant church, or with Protestant ceremonial, such party becomes guilty of a public denial of his or her faith, separates himself or herself from the Church, and is, therefore, excommunicated or deprived of the privileges which the Catholic Church grants only to members who profess obedience to her laws. Nor is this verdict altered by the precedence which may be given to the Catholic worship in a case where the parties repair to the Protestant church after the marriage has been solemnly witnessed by the Catholic priest. No priest, bishop, cardinal or Pope can legitimately bless a marriage if he knows that the parties are of their own inclination prepared to have the Protestant rite performed as a subsequent sanction to that marriage; for it would be a formal admission that such sanction and such worship are approved by them.

Moreover, reasons of consistency forbid such a course. Either the Protestant party regards the consent given before the priest as valid and rendering the marriage contract solemnly binding, or does not. If not, then it is unfair to seek it at the hands of the priest, who, if aware of the condition, would hardly be willing to act as a dumb witness in a pretended contract. If, on the other hand, the Catholic ceremony is considered valid, then the repetition anywhere else is without meaning and useless.

It may be urged that the main object for wishing to have a double ceremonial is the desire of reconciling the religious susceptibilities of both parties. This would be perfectly just if it were a question of anything else but religion. Compromises are good in law, in social life, and in business, but they are bad in religion. Christ, the Founder of the Catholic Church, has said so: "He who is not with Me is against Me; and he that gathereth not with Me, scattereth."—Matt. 12: 30; Luke 11: 23. In matters of doctrine Catholics hold a very definite position, which is not subject to the variation of individual opinion however strong. Anyone wishing to marry a Catholic must accept that position as

unalterably bound up with the Catholic party's personal convictions as to the highest purpose of life. In religion we obey God rather than man. Anyone is free to apostatize from his or her faith; but no one can be a consistent Catholic and at the same time consciously take part in a worship which the authorized exponent of his faith declares untrue and hence unworthy of him, owing to his better knowledge. There is a hazy view which poorly-informed and lukewarm Catholics share, and by which the charity which is due to the person in error is transferred to the toleration of the error itself. We may excuse persons in error, but we cannot worship with them in their error to please them. And if nominal Catholics hold that they can worship in any church, they have no right to claim that the Church should endorse such a view by her admission of a practice which would be a denial of her doctrine. Catholics who give thought to the most important business in life, namely, their faith, know that Christ has made plain His revelation; otherwise there would have been no need of His coming to us to teach us. They know also that He has supplied us with motives for accepting the Church as a guide in faith, which are both clear and reasonable, whatever popular and unreflecting prejudice says to the contrary.

This is the attitude of the Church and of well-informed and faithful Catholics everywhere and at all times. Hence the assertion recently made in the papers, with regard to France, by a person who signed himself *Prêtre Catholique*, namely, that the Church had for some time past sanctioned the practice of the French clergy allowing double ceremonies ("que l'Église permet dans la celébration des marriages mixtes, une double cérèmonie religieuse, l'une à l'église Catholique, l'autre au temple Protestant"), is indignantly refuted by a French canonist, who says that there is not a vestige of foundation for such a statement.

It is very true that in countries where the civil law refuses to recognize the legality of the Catholic marriage under heavy penalty and forfeiture of civic privileges, the parties are permitted to signify their consent by the act of a so-called *civil* marriage before the magistrate; but that is merely a formality which has no religious significance, and the omission of which would prevent the Catholic marriage from being recognized. For similar reasons

(set forth in the Concordats) the Church has allowed the priest officiating at mixed marriages to bless the parties and the ring, and even to perform the ceremony in the church. But in none of these cases can the act be construed as a participation of the Catholic party in Protestant worship.[1]

The Case of Cardinal Fesch.

Of course it is possible that a priest or bishop or cardinal may exceed his powers and act contrary to the law of the Church, soothing his conscience under some specious pretext. A case in point is furnished by the example of Cardinal Fesch.

Cardinal Fesch had been educated for the priesthood, but, owing to his relation to Letitia Ramolini (his half-sister), the mother of Napoleon I, he was soon after his ordination thrown into a society which exposed him to the temptations and demands of a world given to ambition and the tyranny of conventionality. When the French Revolution had deprived him of his ecclesiastical title and income as Canon of the Ajaccio Cathedral, he thought himself justified to lay aside for a time the ecclesiastical garb, and accept a position in the army as Commissary of War under the leadership of his nephew, General Bonaparte. When the latter became First Consul of the new French Republic, the Abbé Fesch resumed his clerical garb, and Napoleon deemed it his policy and duty to advance a cleric who, being an amiable relative and never having compromised his ecclesiastical reputation, even whilst in the army, might be of immense service to him in the future. And so it proved. When Napoleon, step by step, advanced in destroying the rights and prerogatives of the Holy See, it became part of the wisdom of the Pope to yield to all matters that did not involve sacrifice of principles. So when Napoleon desired his uncle to be made Bishop and Cardinal, the Pontiff, finding him to be a good man and one who by reason of his powerful nephew might not only avert great evils from the Church in France, but advance its interests, granted the request.

[1] To be married before a civil magistrate alone, without any religious ceremony, is, on the part of those (Catholics) who profess to recognize marriage as a Sacrament, a tacit denial of their belief, unless there is no Catholic priest to witness the contract, or the act is required by the law of the State as a civil registry.

When later Napoleon sought to use Cardinal Fesch as a pliant tool for his schemes, the latter endeavored to resist: "il n'est jamais permis à un prêtre, à un cardinal, à un archevêque, de sortir de la ligne tracée par sa vocation, qui est d'être un ministre de conciliation et de paix," he wrote whilst Ambassador of France to Rome. But it appears that he deemed this policy of conciliation and peace lawful even where it was not so in the eyes of God.

We have mentioned these preliminaries to show with what elements we have to deal in the judging of the marriage ceremony of Napoleon with Princess Marie Louise. Historical investigation has cleared up certain doubts which were not so accessible at the time of the marriage: 1. owing to the suppression of contemporary testimony; 2. to the substitution of fictitious evidence, making the marriage with Josephine appear to have been illegal; 3. and finally to the overwhelming influence of Napoleon's unscrupulous power, the consequences of which were dreaded by all men in France who were not swayed by the liberty of saints. The Cathedral Chapter of Paris and the Diocesan Officials of the Chancery pronounced in favor of the invalidity of the first marriage, which, owing to the stringent laws and the privacy of the performance, had *some species* or pretence of truth. To Cardinal Fesch, who was in dread of his nephew, that opinion was sufficient. The Pope was a prisoner, so was Cardinal Pacca; they would not be consulted, and if they cried out in protest, it would not be heard or heeded. Other eminent ecclesiastics more or less on the side of worldly considerations, also consented to accept the verdict of a Cathedral corporation which, like secular bodies, had no conscience, or a very variable one to suit the times. Indeed there was not much time allowed for final consideration. Thirteen Cardinals—to their honor be it ever repeated—refused to sanction the marriage or to assist at it, despite the demands of the Emperor who had caused them to be brought to Paris. They were deprived by him of their purple and are known in history as the *black Cardinals.*

The marriage with Marie Louise was unlawful, because the evidence later on showed that the Pope had secured the validity of the first marriage by an express provision, since he had appar-

ently foreseen the possibilities of the case. The Church has never sanctioned such acts as this marriage with Princess Louise, although individual churchmen, too weak at times, like many of her lay followers, to act out their convictions, may, as in the present case, have given their consent to a wrong act, and the Pontiff, bound and gagged, may not have been able to protest.

Catholics Officiating at Protestant Marriages.

As to the question, viz., whether Catholics may lawfully act as bridesmaids or grooms at Protestant or civil marriages, we should answer: 1. A Catholic is at liberty to act as official witness to a lawful marriage contract, if the assistance does not imply assent to conditions otherwise forbidden in conscience. Hence if two persons, who are not baptized, choose to marry before a magistrate, exercising their natural right, which a Catholic reasonably respects, he is at liberty to attest such a marriage by his presence as an official witness, just as he might attest any other lawful and solemn contract. Here there is no denial of faith.

2. No Catholic is, however, at liberty to act as official witness to a marriage *unlawful before God*, such as the marriage ceremony of (*a*) a divorced party already rightly married according to Christian or the natural law; or (*b*) a party that is Catholic and publicly denies his or her faith by neglecting the sacramental rite in favor of a purely civil ceremony before the magistrate, unless there be no priest to perform the rites of the Church; or (*c*) a party that is leading a scandalous life which would justify the prospect of shame, divorce, or neglect; for though such persons may not pretend to any religious convictions, and protest their mere intention to make a natural mutual contract, yet prudence and respect for the moral order should forbid a Catholic to assist at such marriage contracts.

3. A third principle, already explained in the answer to the question whether a double religious ceremonial is permissible, forbids Catholics to take part in any marriage ceremony which bears the character of *religious* worship other than that of the Catholic Church. Hence a Catholic may not lawfully assist at a marriage in a Protestant church which is intended to have a religious aspect.

I say, if such marriage is intended to have a religious aspect;

for there are some cases when a marriage performed in a Protestant church or by a Protestant minister may be regarded as a purely social or civil function intended to ratify the marriage, which outside the Church is a purely natural contract. Thus in a town where there is a public hall, used on Sundays for Protestant worship, but also for other meetings; or where the Protestant minister (holding Sunday service) is at the same time the legal justice of the peace; or where the assistance of a Catholic is plainly intended as a mark of respect for lawful authority due to an intimate connection with the party to be married, without any evidence of active participation in or approval of religious worship contrary to the doctrine of the Catholic Church, there the principle of an explicit or implicit denial of one's faith is not justly applicable. Of the varying causes which render such assistance, especially at public marriages, lawful, a judgment can be passed only by competent authority with knowledge of the facts in individual cases. It is manifestly unjust, therefore, to pass criticism on any instances which may be reported in the newspapers and which rarely permit us to weigh the attendant circumstances prompting the presence of a Catholic groom or bridesmaid at a non-Catholic marriage or funeral, in which not the worship but the relationship is the determining factor, and where ceremonial is of a social rather than religious import in the minds of all the attendant parties.

TWO VIEWS OF "LUKE DELMEGE."

Since Father Sheehan's second serial story, written for our pages, appeared in book-form, at the beginning of the year, the press has given it a generous welcome, recognizing the fact that, like its predecessor, *My New Curate*, it is a genuine piece of literary art, exquisitely put together, although not in the fashion of the plots usually adopted for modern novels or romances. The fact that we printed the story might dispense us from the duty of reviewing the book. But we cannot forego the agreeable task of directing attention to one singular feature of Father Sheehan's work, which has certainly succeeded in creating a favorable disposition among non-Catholic readers of every class towards the

Catholic priests and people of Ireland; and, what is more, towards the Catholic religion in its practical aspects generally. And all this the author has effected by an unvarnished declaration of his religious preferences, and not, as is so often the case with talented writers who court popularity, by keeping the most valued birthright of the true faith in the background, knowing that the world as a rule dislikes the exhibition of Catholicism.

Naturally one might suppose that Father Sheehan's point of view, as an Irishman and especially as a Roman Catholic priest who "freely uses the humor of his race and the irony of everlasting truth to emphasize his morals and point his contrasts," would irritate the temper of his Protestant critics. Not so. His work judged by literary standards is so evidently superior as to enlist the genial acceptance of its position, and to draw unstinted praise from those who are as a rule supposed to be incapable of judging without preconceived dislike anything that comes from a Catholic source, especially when it presumes to appeal to the world of art or letters. Let us quote from a recent criticism of the London *Spectator* (January 11):

"*Luke Delmege* is a very long and a very full novel. But its matter is so excellent and so varied that one does not wish it shorter. The point of view is so consistently Irish, Roman Catholic, and—in the only good sense of the word—reactionary that one would guess the calling and the nationality of the author if it were not proclaimed on the title-page. But Father Sheehan, though he wears his patriotism and his primitive Catholicism on his sleeve, reads character and judges conduct with a humorous charity that is larger than creed and wider than country. And his hero—though by accident an Irishman and a peasant priest who has taken signal honors at Maynooth, and afterwards begun his education in the discovery that the world cares nothing for a man's being academically 'first-of-first' unless he is also a good many other things to all sorts of men and women—is a character so typically human and so poignantly real that the history of his mistakes and his disillusionments, his triumphs and his humiliations, and his final learning of the lesson of renunciation, must appeal forcibly to sincere minds of every communion and every nation."

Indeed on these points Father Sheehan does not minimize in the least. And the critics fully realize this when they tell us that the book is "essentially and intrinsically Irish and Roman Catholic."

". . . . The best things—and very good indeed these best things are—are the scenes of Irish life: Luke's peasant home; the dinner with the 'Inseparables'—

Father Pat, Father Tim, and Father Martin—at which the young priest is satirically tutored in the etiquette of high life before the grander dinner with the Canon; the family of the Canon, in which Irish instincts are at strife with English standards; the funeral, later on, at which Luke obeys the 'statutes' and alienates his flock; and the Convent of the Good Shepherd, where the two delightful women of the book, Luke's peasant sister and the Canon's beautiful niece, find long before Luke does the secret of the enigma of life. Ireland is throughout the land of 'frolic and faith,' of warm hearts and quick tempers, of illumination, love, simplicity, and folly; England the school of law and convention, prudence and logic. Luke, sent over to the larger island with a mission to convert it, is entangled in its liberalism and charmed by its refinements. He learns much, but loses one thing, and when he goes back to Ireland finds himself absolutely out of sympathy with his own people—the reason being that he has, although he does not know it, 'lost touch with the supernatural.' "

The following is the liberal judgment of London *Punch;* and be it well understood *Punch* is the greatest Englishman of the whole tight "little island north of France." In other words *Punch* is John Bull, and so officially hall-marked. Whatever *Punch* says, John accepts without reserve as an *ex cathedra* expression of correct English views.

"In *Luke Delmege* the Rev. P. A. Sheehan has given us, in delightful style, a deeply interesting study of Irish life and character. The simple, unexciting story is most instructive to the thoughtful English reader, if, that is, he be unprejudiced in Irish matters, especially should his notions with regard to them have been previously derived from Charles Lever's novels, or from Carleton's tales. The book is replete with such pathetic episodes as could only be found in sympathetic narratives of 'the most disthressful country'; and it shows us, in a vivid description of All Souls' Eve, a type, among many others, and, as the Baron believes, one most true to Hibernian nature, of a soldier widely differing from the Mulvaney that Mr. Rudyard Kipling would have us accept as representative of the ordinary private in an Irish regiment."

The above serves as a fair sample of the verdict, on the whole, passed by the critics in England or America who have thus far expressed their estimate of *Luke Delmege* through the leading organs of literary public opinion. It must seem almost cynical if, under these circumstances, we note an isolated damning review of the book in one of our Catholic papers. The London *Tablet*, which recently invited its readers in glaring advertisement to purchase Mr. Hall Caine's newly-published libels on Catholicism and the Sovereign Pontiff, stating that "The Eternal City," was recommended by the clergy; a paper which opens its columns to paid announcements of London spiritualistic *seances*, although

its excellent editorial columns are usually engaged for a purpose quite the contrary—illustrating the way in which one may serve "two masters—" tells us very naïvely that *Luke Delmege* is a book for which "Father Sheehan supplied the requisite amount of 'copy' under compulsion," and that "the result cannot be described as a success." "A number of more or less conventional and theatrical scenes are strung together, but there is no vital thread to connect them." And then the reviewer picks out the scene of eviction as typical of the author's sympathies and methods of description, leaving the reader of the notice under the impression that *Luke Delmege* is a commonplace story about Land League performances and the "glories of the Irish Brigade,"—a wholly false sentiment if intended to characterize the worth of the book, although the writer manages to save himself from the charge of insular bigotry by a few words of seeming praise at the end, allowing that "many passages in this book will give pleasure to all."

We have no call to inquire into the motives for such a criticism in a Catholic paper, which owes so much of its worth in other respects to the self-sacrificing spirit of the Catholic priesthood in England, many of whom are assuredly in sympathy with Irish faith and Irish talent, the best of which is freely given to the defence of the Church side by side with that of the high-minded clergy and laity of English allegiance. One wonders how, with such elements among the staff of its writers, the management of the *Tablet* can ever afford to lend itself to two persistently recurring practices,—that of depreciating American undertakings, even when they are of the highest type and purpose as well as of generally recognized ability; and that of degrading its own high purpose by allowing its advertising columns (which does not exclude the book-notice department) to be prostituted to making propaganda for what is sin and shame. Money that comes from such sources can surely bring no blessing upon the management.

Whatever grievance the English editor and publisher may have against the Irish priest, no honest critic can shut his eyes to the fact that Father Sheehan's book makes for moral elevation, for the propagation of Catholic doctrine and practice; and that this is done by him in a way which is, as one of its Protestant

reviewers says, "vividly interesting, entertaining, and stimulating in every page." We do not wish to imply that the work is without flaw from every point of view. But the jaundiced eye of the reviewer will see only slipshod and commonplace work. He might have fastened upon a feature of the work which perhaps touches a delicate nerve in readers of fine feeling. The vividness of Father Sheehan's delineations of soul-life does at times make the reader almost shrink with apprehension lest he have to witness a confession, an analysis of feelings too sacred to be revealed to the vulgar mind; and if the drawing away of the veil from a troubled heart tried by the weaknesses and the bitterness of human experiences enthralls for a moment, it yet makes the reader feel as though he were watching the cruel handling of the scalpel between the sensitive nerves of that singular human muscle which God's providence has created to be the solitary chamber of incommunicable secrets. This applies also to some of Father Sheehan's poems in *Cithara Mea*, which strongly remind one of passages in Crabbe or Rochefoucauld. When such thoughts issue from the inspired pen of a priest, they have a doubly-sharp edge for those who habitually see the minister of Christ enveloped in the mysterious cloud of the sanctuary, and to whom that cloud is the halo which makes them revere the Father of the flock as a prophet. That is the quality of criticism we should expect from the Catholic point of view; yet it would not lessen the high purpose of our author's work, or the appreciation of the tools which he employs to reproduce the nobler traits of Irish character in their natural setting of poverty and fickleness and persecution. There are other Catholic writers and priests who, like Dr. Barry in his *New Antigone*, or in *The Two Standards*, have employed similar talents with the consummate skill of the confident genius, yet to less noble purpose of making the Irish priesthood understood, failing to show forth the power which the Catholic religion possesses of refining the individual soul, of lifting up to a higher plane those for whom the world has little honor and little love.

INDIVIDUAL INSTRUCTION IN HOMILETICS.

Editor of THE ECCLESIASTICAL REVIEW:

In the February issue of the REVIEW a writer who signs himself "Censor" offers for consideration a method of "Individual Instruction in Homiletics" which, if followed in the Higher Seminary, may stimulate action "and secure better results" in the training of the future preacher.

It is, indeed, highly commendable to call attention to seminary training. It deserves every care. The laity may not know where their priests are educated, but they judge of their training principally by what and how they preach. To be sure, the seminary cannot make the views of the people the basis of its operation, although these same are good helps in gauging the efficiency of the standard and methods employed. The purpose of the seminary is more general and goes deeper. Manner, pronunciation, and language can never supply knowledge and virtue. But when these qualifications are well secured, speech, polish, and delivery, it is true, command attention. They are secondary, however, to solidity of doctrine, if not thoroughness in whatever goes to make up theological knowledge, and to stability of character, if not the assured possession of every priestly virtue before ordination. Whether or not deficiency in merely secondary qualities should bar from "imposition of hands," must be decided by such rules as law and experience offer.

The higher seminary must first of all see to what is primary. And it should be observed that the seminary must train for such action as will he assigned to the future priest. It will not suffice to know only one language. Greek and Latin are dead tongues, of course, as far as immediate use goes, yet they are necessary for the study of theology and for divine services. English alone is not sufficient for practical needs in the care of souls in many parts of the Union. There is no need to say that every priest should know the language of the country; nevertheless, if the salvation of souls is the supreme law, a good knowledge of the language in which he is expected to minister is of prime importance. Here arises a difficulty in the teaching of Homiletics, and one of very practical consequences.

Very likely "Censor" is willing to have the suggestions he makes in regard to preaching in English apply also to the instruction of the future priest in whatever language he is expected to preach; for his concern is as to the manner of preaching intelligently and correctly,

and not as to the matter of the sermon. But to suppose that every other language but English may be neglected, is a mistake which would result in serious detriment to many souls. The question, then, "What to do?" in order to furnish fair readers and speakers in the pulpit, has to be answered to meet all the demands on the seminary. However much we may deplore it, it is a fact that English alone is not enough. Certainly English must not be slighted, but something more is necessary if we would furnish priests who are to be useful to our Bishops and their flocks.

We might add a few remarks regarding the suggestions of "Censor" and his views of "individual" instruction; but the professor of Homiletics in the seminary will be the one best qualified to judge how far such "instruction" could be given without interfering with the general class work.

JOS. SELINGER.

Milwaukee Seminary.

FIRST LEAVES OF AMERICAN CHURCH HISTORY.

The fact that THE DOLPHIN is issued some days after THE ECCLESIASTICAL REVIEW gave us an opportunity of commenting on Father Dutto's recently published *Life of Bishop de Las Casas* in the former publication last month. But our *clerical* readers, who patronize only THE ECCLESIASTICAL REVIEW, will be equally interested in the volume, which, whilst it makes no pretension to literary superiority, and does not aim at simply edifying the piously inclined, gives us a true pen-picture of one of the most beautiful and attractive figures in the annals of American history and of the missionary priesthood.

Las Casas has been called the first naturalized American priest, and he has earned the title by an altogether exceptional course of action. Born at Sevilla, in Spain, and educated in the humanities with a view, apparently, of embracing the legal profession as the representative of an influential and well-established family, he yielded to the adventurous desire of accompanying Columbus on his third journey to San Domingo. His father had already been in the New World and had given glowing reports of the opportunities which there awaited the chivalrous youth eager for novelty and not without the instincts of a missionary, who, even as a lay-

man, might contribute much to the conversion of the natives. Father Dutto pictures Las Casas as a planter, as a miner, and as a slave-owner in Cuba. However, if the young adventurer's early plans lay chiefly in the desire of colonizing, not without schemes of grandeur, they were characterized by a sense of honor and the effort of bringing the knowledge and appreciation of the Christian religion to the natives, in the hope of thus establishing a prosperous and happy commonwealth, so far as his influence would permit the accomplishment of such a desire. It appears that the lack of priestly ministration and the accompanying ecclesiastical authority, which alone could curb the excesses of the Spanish cavaliers who found free scope for the exercise of ambitious and cruel instincts, was a distinct hindrance to the well-intentioned designs on the part of Las Casas and others of the same mind with him, of establishing a happy understanding with the natives, who, if they yielded room and opportunities to the new colony of aggressive immigrants, had a right to be benefited in other respects. Accordingly, Las Casas resolved to become a priest, prepared himself on his return to Spain for sacred orders, and eventually came back to say his first Mass in the New World.

And now, partly through reflection upon the responsibility of his sacred calling as minister of peace, partly also impelled by the edifying example of one of his lay companions, whose devotion roused his own pious zeal during their expeditions, he began to give himself more and more to the work of charitable protection of the Indians against the avarice, ambition, and cruelty which swayed the conduct of some of his countrymen towards the helpless natives. "Within two years of his ordination he became the self-appointed protector of the Indians, and six years later he was given that title officially." For the fifty years that followed he devoted every energy of his soul, his mind, heart, and body to the cause of the Indians. He defended their lives, their natural rights of possession, their faith. He did so amid calumnies, against the active and passive resistance of state officials and clerics, high and low. "Were we to begin with his sermon preached on Pentecost Sunday in 1514, and read all the 10,000 pages which he wrote between that date and 1564, when he made his last will, not one page would be found not written directly or indirectly in defence

and in behalf of the Indians." (P. 591.) "The conviction creeps on the student of early American history who dives deeply into the original source of information, that, had there been no Las Casas, and had he not been a Catholic priest backed by as powerful a friend as Charles V of Spain, it would be doubtful if even a vestige of the American Indian would now remain."

Father Dutto is of opinion that no priest accompanied Columbus on his first voyage. The fact cannot be proved one way or the other from documents. Yet it would seem unlikely that the navigator, with his burning faith and zeal for religion, and supported as he was by the religious rather than the secular element in his first undertaking, should set out without a priest, unless we assume that there was no one willing to run the risk of accompanying him. Even if we admit that the clergy of whom we have reports in the subsequent journeys of the Genoese mariner, did not always prove themselves worthy of their high mission by a consistently edifying conduct, it is well-known that the Catholic Spaniard of intelligence, like every Catholic who understands his religion, must have viewed the sacramental ministrations of the priest independently of the merits of the individual who may be the instrument of the divine bounty. Hence we understand why, as our author admits (p. 45), "every vessel sailing from Spain for Hispaniola between the years 1493 and 1510" carried a priest or chaplain. The first Franciscan convent with resident missionaries was established in San Domingo in 1502; and soon after other small communities sprang up in different parts of the newly discovered world.

But Father Dutto is careful of his facts, and we accept with deference his assertions in this and other matters on the same subject. He writes not as one who would furnish merely an edifying story about the devotion of the early missionaries of whom his hero, Las Casas, is a splendid example, but as a sober inquirer into historical truth who has possessed himself of many incidents and evidences which have escaped the ordinary student of Spanish history. He does not attempt to suppress or varnish by an artificial defence the character or the actions of clerics who countenanced slavery and avarice, or the weak-kneed policy of ecclesiastical superiors who preferred the peace and prosperity of

this world when right and justice for the Indian was to be purchased only by personal sacrifices. When, finally, after many repeated journeys to Spain, where he managed to represent the true state of affairs to the crown, he was appointed Bishop of Chiapa, he used all his authority to establish for South America a permanent code regulating the rights, civil as well as ecclesiastical, of the Indians, and left the guardianship of the rights in the hands of the Dominican Fathers, whose order he had in the meantime joined with a view of strengthening his position and extending the missionary opportunities in behalf of the natives. Charles V and the Spanish Council of State were induced to issue a solemn memorial setting forth their full concurrence with the enactments of the American episcopal junta, declaring that the Indians should be free. It is a curious fact that the first printing press on the continent had been imported from Spain to Mexico by Mendoza; and that one of the first documents which issued from it was the official instruction to the clergy to use their ministration towards rendering effective the decree of American liberty for the Indian. A protest was lodged against this action by the officials in America, and Las Casas saw that it would be necessary for him to use the influence of his personal presence with the Emperor to prevent the disastrous opposition from this side of the Atlantic. He therefore resolved to resign his episcopal see and to use the remainder of his days in defence of the Indians at the court of Spain, where, though removed from his red wards, whom he dearly loved, he might serve their interests all the better. In May, 1547, he arrived at Valladolid. Philip II was at that time prince regent for his father. He granted all that the venerable Bishop Las Casas asked for the Indians, and treated him with the utmost consideration, making him a member of the Royal Council. Las Casas was anxious to have his companion, Father Luis Cancer de Barbastro, take charge of the Florida mission. The saintly priest embarked and landed in Tampa (Bay of Espiritu Sancto), where almost immediately after setting foot on shore he received the crown of martyrdom.

The remaining years of the Bishop's life are spent in completing his *Historia de las Indias*. He had crossed and recrossed the ocean in behalf of his Indians a dozen times, made innumer-

able journeys by land and water to satisfy himself personally of their condition and good-will. Now at the age of seventy-five we find him in retirement, not to rest, but to gather, for the use of those whom he would leave behind him as managers of the affairs of the Indians, correct information which might properly guide them. He died at the ripe age of ninety-two years. The above-mentioned work, *Historia de las Indias*, was not published until three centuries later, in 1875, through the efforts of Marquis Fuensanta della Valle. It appeared in five volumes, first at Madrid and soon after (1877) at Mexico. In the following year Carlos Guttierrez printed a life of Las Casas; and in 1880 a more complete biography in two volumes was issued at Madrid by Fabie.

ADMINISTRATION OF BAPTISM "IN UTERO" BY PHYSICIANS OR TRAINED NURSES.

The question is asked whether the rule which requires that a Catholic be called to baptize an infant in danger of death preferably to any other person not of the faith, should hold when the intervention of surgical aid is needed for the act, in which case the physician is the best judge of whether or how the application of the baptismal water will effectually reach the child. We have no hesitation in answering that in such cases, the purpose and wish of the parent to have the child baptized having been explained to the doctor or nurse, the performance of the baptism should be left to them, provided they know that the pouring of the water and the accompanying words are essential for the effective administration of the rite.

Doctors will in such cases be apt to mix the natural water used for the baptism with a solution of corrosive bichlorate (*hydrargyrum*), in the proportion of one part (sublimate) to a thousand parts of pure water. This renders the water poisonous and unfit for drinking purposes, but it prevents inflammation and the danger of contagion for the mother. The Sacred Congregation of the Holy Office, having been consulted as to the lawfulness of this method, answered that if there be positive danger to the life of the mother from the use of the pure water, the admixture is lawful. (Decr., Aug. 21, 1901.)

MIGHT A PRIEST PERFORM THE BLESSING OF ST. BLAIZE ON HIMSELF?

Qu. Yesterday was the feast of St. Blaize. A few of our priests began to discuss the question as to how the blessing of throats might be given. This was the case:

One priest after his Mass in the morning, blessed his own throat, of course changing the words to suit his own personal act. He was alone at the time, but afterwards several priests were present, yet he thought his act was all right and did not need a repetition. Some priests thought otherwise, but their arguments seemed to me to be unconvincing from the want of similarity. I thought the said priest was right in what he did, for if a priest can place the blessed ashes on his own forehead—*a fortiori* in this case, which is of minor importance, can he minister for himself.

Could he not have done so? Or, if the priest was anxious to secure the blessing, was it necessary to have the blessing repeated in the afternoon by a priest other than himself?

I should feel grateful to you for your opinion in this matter.

Resp. There is no inherent contradiction or positive law preventing a priest from applying any blessing in the ritual, under suitable conditions to himself, just as he applies the blessed ashes, or assumes the blessed candle according to the rubrics of the missal, when there is no other priest present.

As to the propriety of doing so, when other priests are present or near at hand, it is not easy to pronounce. Theologians who follow St. Thomas hold that the sacramentals derive their primary virtue from the fact that they or the actions which they occasion dispose us at least implicitly to a movement of contrition for sin. Thus they destroy sin. As such dispositions are more frequently called forth by exhortation or example or intercession, we naturally refer the ministry or application of the sacramentals, where that can be done, to others. Yet a priest may think otherwise, and rightly value his own act as carrying the same efficiency, just as voluntary meditation or reflection may produce the movements of piety which one desires from a sermon or exhortation during retreat.

What is here said about *sacramentals* would not apply to the *Sacraments*, because these on the one hand confer grace *ex opere*

operato through the use of a definite form ordained for the purpose; on the other, the Church has expressly prohibited any change in the form of administering Sacraments which would alter the conditions of recipient and minister. Thus baptism cannot be administered by a person to himself, because it would imply a *change of form*, which change of form would express the impossible relation of regenerating ourselves. "Baptizans est pater spiritualis baptizati, si ergo nemo est filius suus nemo potest seipsum baptizare." (St. Bonavent. IV, dist. 5, a. 1.)

THE TRIANGULAR CANDLESTICK AT THE TENEBRAE.

Qu. What is the meaning of the fifteen candles which are extinguished one by one during the chanting of the Psalms at the Matin Office (Tenebrae) during the last three days of Holy Week? The *Office of Holy Week* (Baltimore edition), which gives the liturgical text, with the rubrics in English, says: "When about to celebrate this part of the office, they place in front of the altar a large triangular candlestick containing *several* lighted candles, one of which is extinguished after each psalm." De Herdt, I am told, mentions the number of candles as *fifteen*, but gives no definite explanation of the mystic significance. Is the number essential, or is it merely optional, and expressive of the gradual darkness that came upon the world through sin from which Christ, symbolized by the light at the top which alone remains burning, has delivered us?

Resp. The most prevalent interpretation of the symbolic candlestick commonly called Herse (*hersa, hearse, hercia*) during the Middle Ages, was that it signified the patriarchs and prophets, whose teaching served the world as a light leading up to Christ who became the all-absorbing Light illuminating man to the end of time. There are seven lights on each side leading to the apex of the triangle. These fourteen candles were usually of unbleached wax, while the one on top was of white wax. They represent the patriarchal church from Adam to Joseph on one side, and the Mosaic church from Moses to the last of the prophets on the other, for the number *seven*, according to the Midrash, is the most perfect and representative number. They counted seven Fathers of tribes, the last of whom was to be

Moses, their deliverer—Abraham, Isaac, Jacob, Levi, Kahath, Amram, Moses. Seven was the number of revelation חבל (Ps. 96: 13).

Such was the fundamental idea. But since the Patriarchal and Mosaic revelations leading up to Christ might be variously represented by the principal agents of the divine purpose manifesting the coming of the Messiah, so the number of lights which were used to express the expectation of the nations for a Redeemer, and which were to disappear with His coming, varied. Adam, Noe, Abraham, and the succeeding leaders who inaugurated great revivals of the Messianic hope down to Esdras or Judas Maccabæus, might all be represented as lights. Hence there were sometimes as many as twenty-four candles. Feasey, in his *Ancient Holy Week Ceremonial*, writes: "This Tenebrae candlestick, called Herse or Hersa,[1] in English Cathedral statutes, is a large triangular candelabrum, or candlestick, or hearse of brass, latten or iron, upon which the tapers used in the Tenebrae office are set, and which is placed on the epistle or south side of the sanctuary and altar. . . . Calfhill says that in England it was called the Judas or Judas Cross.[2]" In some cases the lights were extinguished at once, or at two and three intervals. The six candles on the high altar which are extinguished during the signing of the *Benedictus* are usually taken to represent the light of Jewish righteousness passing between the birth of our Lord and His death and resurrection.

The upper light is not extinguished, but is hidden behind the altar, while the *Miserere* is recited in a low tone; after which it is restored to its place at the top of the candlestick, because God did not leave the soul of our Lord in darkness, but raised Him from the dead.

[1] The word "hearse" (Latin, *hercia*) is derived through the French *herse*, from *hericius*, *ericius*, *ericeus* or *critius*, a harrow, or hedgehog, from its appearance. It was ordinarily used at funerals over the coffin or catafalque.

[2] Wordsworth in his *Mediæval Services in England*, says: "One of the candles in the herce for Tenebrae in Holy Week represented the traitor, and is sometimes called the Judas Candle. The antiphon sung at Lauds on Maundy Thursday, when the last light was darkened, was 'He that betrayed Him had given them a token' (Brev. Sar. 783). But what appears *a Judace* or the *Jewes light* was the forerunner of these modern dummies and save-alls which are sometimes reprehensively painted to counterfeit the true natural wax." This is the wooden base of the paschal candle blessed on Holy Saturday.

As stated above, the number of candles used in the Tenebrae office appears to have varied very much in the different churches: The *Sarum Breviary* says twenty-four; at *Canterbury* and *York* there were twenty-five; at *Nevers* there were nine; at *Mans* twelve; at *Paris* and *Rheims* thirteen; at *Cambray* and *St. Quentin* twenty-four; at *Evreux* twenty-five; at *Amiens* twenty-six; at *Coutance* forty-four. In some churches the candles corresponded to each psalm and lesson of the office.

THE SHORT FORM OF THE BLESSING OF ST. BLAIZE.

Qu. In the last issue of the REVIEW you take exception to the short form of the Blessing of St. Blaize, stating that only the form prescribed in the Ritual may be used. Schneider's *Manuale Sacerdotum* has the following on page 699: "Benedictio in festo S. Blasii contra morbos gutturis. (Ex decr. S.R.C., 20 Mart. 1869, n. 5426.) Sacerdos . . . dicat: 'Per intercessionem B. Blasii liberet te Deus † a malo gutturis. Amen.'" There is no reference made to any other form in the entire book.

As the *Manuale* is considered an authority of high standing, also by the Editor of the REVIEW, it would be well to have the matter cleared up.

JOHN WAELTERMANN.

Resp. It is precisely the error of the *Manuale* that we meant to point out, because it had been copied by the *Pastoral Blatt* and thence by the *Catholic Standard and Times*, and other diocesan official organs, misleading those who depend on the weekly papers for this kind of information. Indeed, if those papers had copied from the later editions which contain Father Lehmkuhl's corrections of Schneider's Manual, they might have noticed that the full formula of the Roman Ritual is there given, to which is added the shorter one in question, "*pro archidioecesi Vercellensi*," etc.

"TID. MID. MIS. RE."

The following reading of the above mediæval rhyme mentioned in a former issue of the REVIEW is offered by one of our readers in England:

First Sunday in Lent—*T* (entat) *I* (esum) *D* (iabolus).
Second " " " —*M* (anifestatur) *I* (esu) *D* (iscipulis).
Third " " " —*M* (utum) *I* (esu) *S* (anat).

As these three Sundays have nothing special about them to distinguish them, it seems not unlikely that they should be remembered by their respective Gospels.

The fact of the fourth Sunday being generally known as "Laetare" Sunday would sufficiently explain the "Re."

The above is mere conjecture, and is offered for what it is worth as a possible solution.

LONDON.

THE TAKING OF AN OATH ON A PROTESTANT BIBLE.

Qu. When Catholics go into court they receive, as a rule, the Protestant version of the Bible upon which to take the usual oath. Is this lawful?

Resp. The acceptance of the Protestant version of the Bible from the officer of the court cannot, in the present case, be considered a profession of Protestantism or a denial of the Catholic faith. It is merely a pledge or sign given to the civil authority to indicate the honest purpose on the part of the person who takes the oath that he will speak the truth. If, nevertheless, a Catholic have conscientious scruples against swearing upon the book offered, he may state the fact and simply "affirm," as the Quakers do; which form of solemn declaration is, we believe, generally accepted under our laws.

Ecclesiastical Library Table.

SACRED SCRIPTURE.

THOUGH according to recent editorials in some of our Catholic weeklies the duties of the newly erected Pontifical Commission on Questions concerning Bible Study must be legion, they surely do not include the task of satisfying the curious as to the exact number of animals in Noe's ark, or of providing the impatient with an improved edition of the Latin Vulgate. We might as well ask the Holy Office to edit an official course of theological text-books as expect that the new Commission should have a ready-made answer to every doubt concerning Biblical topics. Private research is not to cease; but in order to lighten its burden and responsibility, it has been considered prudent to erect a permanent court which must decide whether our recent methods and conclusions in the field of Bible study lie within the limits allowed by the teaching of Holy Mother Church. Catholic scholars, therefore, have now a permanent information bureau where they may find out whether they have swerved from the path of truth in their views as to the identity of the Bible, or its authority, or again its exegesis. For it is to these three heads that the Church's teaching concerning Holy Writ may be reduced.

1. **Identity of the Bible.**—The question as to the identity of the Bible is really twofold: (1) Which are the Sacred Books? (2) Which is the true sacred text? The Council of Trent (sess. iv) gives a peremptory answer to both questions: (1) It enumerates the books as they are enumerated in the beginning of our Bibles, and then obliges us under pain of anathema to receive "as sacred and canonical, the said books entire with all their parts, as they have been used to be read in the Catholic Church, and as they are contained in the old Latin Vulgate edition." (2) As to the text, it "ordains and declares, that the said old and Vulgate edition, which, by the lengthened use of so many ages, has been

approved of in the Church, be, in public lectures, disputations, sermons, and expositions, held as authentic, and that no one is to dare, or presume to reject it under any pretext whatever."

Clear and decisive as these decrees are, they do not cover the whole field of investigation as to the identity of the Bible. (1) Bonfrère is of the opinion that the former of the two decrees is not exclusive in its character; in other words, that it states which books certainly belong to the canon of Scripture without denying that others may have to be added.[1] (2) Again, though the Tridentine decree "receives and venerates with an equal affection of piety and reverence all the books both of the Old and New Testaments," certain Catholic writers are inclined to maintain—we believe, without good reason—a difference of authority between the protocanonical and the deuterocanonical portions of the Old Testament. In this sense Prof. Sanday[2] understands Abbé Loisy's exposition of the subject: "If *canonical* means regarded by the Church as possessing inspiration," the Protestant writer says, "then it may be correct to say that Canonicity does not admit of degrees . . . but it is another question whether there may not be degrees of authority and value in the products of inspiration. And I understand that this is left an open question."[3] It is true, the two points alleged to have been left undetermined by the Tridentine decree are for the present of secondary[4] import-

[1] Praeloquia in S.S., iv, 15. Nota postremo, etsi non sit verosimile hunc sacrorum librorum canonem augendum, nihil tamen vetare, quominus in posterum augeatur . . . quia potest adhuc forte Scripturas aliquas, de quarum auctoritate divina hactenus dubitatum est, in canonem admittere, ut si, verbi gratia, Orationem regis Manassae . . . Scripturis Sacris adnumeraret.

[2] Inspiration, Bampton Lectures for 1893, p. 275.

[3] The Professor refers us to Loisy's Histoire du Canon de l'Ancien Testament, Paris, 1890, p. 212: Il suit de là que, dans la pensée du concile, l'égalité des tous les livres au point de vue de la canonicité n'entraine pas leur égalité absolue à tous égards; qu'il peut exister entre eux des différences notables qui ne portent pas attiente à leur caractère de livres canoniques.

[4] The canon of both Testaments as well as its history form the subject of several recent investigations. Not to mention the articles in Cheyne and Black's Encyclopædia Biblica, vol. i, col. 647–674, and col. 674–681, in Hasting's Dictionary of the Bible, vol. i, p. 286–299, p. 348–351, and vol. iii, p. 529–542, p. 604–616, in Vigouroux's Dictionnaire de la Bible, vol. ii, col. 134–183, we may draw attention to Buhl's Kanon und Text des Alten Testaments, Leipzig, 1891; Ryle's The Canon of

ance; but they may at any moment excite the strife of the schools sufficiently to render the authoritative intervention of the Pontifical Commission advisable or even necessary.

Thus far about the Tridentine decree concerning the books that make up the canon of Scripture; next, we must consider the conciliar ordinance as to the true Biblical text. It seems to be granted on all hands that practically the authenticity of the Latin Vulgate has been expressed twice by the Council of Trent: first, *implicitly* in the dogmatic "decree concerning the canonical Scriptures;" again, *explicitly* in the "decree concerning the edition, and the use of the Sacred Books." Notwithstanding this double declaration of the Council, ample room has been left for doubt, and Catholic students have improved this opportunity for exercising their private judgment. To be brief, we shall merely enumerate the questions which are the main sources of disagreement: (1) Is the explicit decree concerning the authenticity of the Latin Vulgate of a dogmatic or disciplinary character? (2) Is a Biblical passage authentic by the sole fact that it is contained in the Vulgate, or is its approval in the Church by the lengthened use of many ages a second condition prerequisite to its authenticity? (3) Is the authenticity of the Vulgate confined to "matters of faith and of morals pertaining to the building up of Christian doctrine," or does it also pertain to the substance, at least, of the rest of the sacred text; or again does it extend to every statement of the Bible? (4) Does the authenticity of the Latin Vulgate diminish the authority of the original Hebrew and Greek

the Old Testament, second edition, London, 1892; Xavier Kœnig's Essai sur la formation du Canon de l'Ancien Testament, Paris, 1894; Wildeboer's Origin of the Canon of the Old Testament, translated by B. Wisner Bacon, 1895; Budde's Kanon des Alten Testaments, Giessen, 1900; Harnack's Lehrbuch der Dogmengeschichte, third edition, vol. i, p. 337 ff., Leipzig, 1894; Zahn's Geschichte des neutestamentlichen Kanons, Erlangen, vol. i, 1888–89; vol. ii, 1890–92; Zahn's Grundriss der Geschichte des neutestamentlichen Kanons, Leipzig, 1901; and among Catholic works to Franzelin's De divina Traditione et Scriptura, third edition, p. 316–583, Romae, 1882; Cornely's Introductio in utriusque Testamenti libros sacros, vol. i, p. 19–230, Paris, 1885; Loisy's Histoire du Canon de l'Ancien Testament, Paris, 1890, and his Histoire du Canon du Nouveau Testament, Paris, 1891; Magnier's Études sur la canonicité des Saintes Écritures, Paris, 1892; van Kasteren's articles on Le Canon Juif vers le commencement de notre ère in the *Revue biblique* for 1896, p. 408–415; p. 575–594. *Cf. Études* for Dec. 5, 1901, p. 639 f.

text and of the early versions? (5) Does it interfere with the legitimate practice of textual criticism?

The reader will have perceived that an answer to the foregoing questions affects some of our present-day Biblical problems. It may affect our acceptance and use of Wordsworth and White's critical edition of part of the Vulgate,[5] or our view of the Hebrew text as reconstructed in the so-called Rainbow Bible, or again, our approval of Westcott and Hort's Greek text of the New Testament. Not as if the Church disapproved of the painstaking work exhibited in the foregoing editions of the sacred text; but she cannot always agree with the particular conclusions found therein. We remember, *e. g.*, the decision of the Holy Office concerning the "comma Ioanneum," according to which we can no longer deny or question the authenticity of 1 John 5: 7, though our textual critics of highest repute agree in rejecting the passage.[6] The Pontifical Bible Commission may find it necessary to issue similar decrees concerning other results of textual criticism; Catholics may not be allowed to manipulate the text of the Book of Job, *e. g.*, as freely as has been done by Professor Bickell in his *Kritische Bearbeitung des Iobdialogs*.[7]

2. The Authority of the Bible.—Since Holy Writ has God for its principal and man for its secondary author, its authority is both human and divine. The divine authorship of the Bible has been clearly expressed by the Vatican Council in its *Dogmatic Constitution of the Catholic Faith*:[8] "The Church holds them[9] to be holy and canonical, not because they were put together by mere human authority, and not merely because they contain revelation without error; but because, having been written by the inspiration of the Holy Spirit, they have God for their author, and have as such been delivered to the Church herself." Our dogmatic theologians may advance various theories as to the nature

[5] *Novum Testamentum Domini Nostri Iesu Christi Latine.* Fasc. i–iv. Oxonii, ex typographeo Clarendoniano.

[6] January 13, 1897; *cf.* THE ECCLESIASTICAL REVIEW, November, 1897, vol. xvii, p. 449 ff.

[7] *Cf. The Contemporary Review*, vol. lxiv, 1893, p. 108 ff.

[8] Cap. II. *De revelatione.*

[9] The entire books of the Old and New Testaments, with all their parts, as they are set forth in the decree of the Council of Trent.

of inspiration, and the psychological process it involves;[10] they may defend different views as to the relation between inspiration and revelation; they may disagree as to the extent of inspiration, *i. e.*, whether both Biblical truths and their verbal expression are formally inspired, or only the truths are inspired absolutely (*per se*) and the words relatively (*secundum quid*), according to their more or less necessary connection with the thought to be expressed.[11] We believe the Pontifical Commission will not find fault with any of these views as long as they leave the divine authorship of our Sacred Books intact. The importance of this dogma may be inferred from the fact that it excites all the rationalists' opposition to even the human authority of Sacred Scripture. A surrender of inspiration would change nearly all the present impugners of the Bible into its most zealous defenders.[12]

It is a corollary of the doctrine of inspiration that has led even Catholics into untenable positions. If God be the author of the Bible, it must be free from error; and it is precisely this inerrancy of Holy Writ that causes Biblical students much trouble. According to Fr. Nisius,[13] it led Lenormant to restrict inspiration to "matters of faith and of morals pertaining to the building up of Christian Doctrine," and induced Canon di Bartolo to admit the theory of a graded inspiration, the lowest degrees of which do not necessarily exclude error;[14] while it prompted Semeria and Savi to restrict freedom from error to all statements which in the different books happen to be necessarily connected with God's special end.

[10] The January number of the *Expository Times*, 1902, contains an interesting article by the Rev. R. B. Taylor, entitled "Prophetic Ecstasy;" we do not agree with the writer in his views, but we congratulate him on the amount of erudition he has collected on the subject.

[11] The recent Protestant views on these questions have been collected by Father Pesch in the *Zeitschrift für katholische Theologie*, 1901, pp. 452-471, pp. 594–620; 1902, pp. 81-106; a less complete summary is contained in the *Dublin Review* for 1893, p. 534. In Germany alone more than 150 works on inspiration were published between 1890 and 1900.

[12] *Cf.* Méchineau, *L'Autorité Divine des Livres Saints; Études*, December 5, 1901, p. 639 ff.

[13] *Zeitschrift für katholische Theologie*, 1894, p. 635 ff.

[14] In his work *I Criteri Teologici*, Torino, 1888, p. 234 ff., the Rev. author denies that inspiration extends to the accessories of inspired facts or to subjects outside the circle of religious truths. The work was placed on the Index by a decree of May 14, 1891.

It was the difficulty, too, caused by Biblical inerrancy, that moved Cardinal Newman to admit non-inspired *obiter dicta*,[15] which were multiplied by Mivart to such an extent as to limit inspiration in certain portions of the Bible to passages few and far between.[16]

The current number of *The Jewish Quarterly Review* contains a discussion by Mr. Montefiore on a pamphlet by Abbé Loisy, entitled *Études Bibliques*. According to the reviewer, the Abbé, without wishing to vivisect the Bible, divides it into two parts—a human and a divine.[17] The human parts afford an ample field for critical purposes, so that the divine "and presumably inspired" parts may be left untouched. Mr. Montefiore will not quarrel with Abbé Loisy over his ideas of inspiration, if the latter "does not quarrel with the Pope." But the case of inerrancy is more serious. Abbé Loisy finds four kinds of error in the Bible that are not errors. An error, he says, is not an error: (1) when the sacred writer did not definitely intend to teach it; (2) when it is merely adopted for the purpose of conveying truth; (3) when it is only an adaptation of truth to the moral and religious capacity of the time when it was written; (4) when it is in accordance with the literary habits of the age. Now, Mr. Montefiore believes that Abbé Loisy, to be consistent, should have added a fifth class of apparent errors: An error is not an error when it was written in good faith and has no relation to the real object or subject of revelation. For, according to the Abbé, after Samuel and Saul all is comparatively clear in the history of Israel; between Samuel and Moses there are points of reliable light; between Moses and Abraham we see dimly certain indistinct figures in the shade; before Abraham, all is dark night. Mr. Montefiore, therefore, understands the Abbé to mean that the large majority of the Biblical statements concerning Abraham and Moses are inaccurate, and he does not see how these inaccuracies can be classed under any of Loisy's four heads of errors that are not errors. And furthermore, he does not see why the Abbé will admit only errors in the Bible that do not count. A few downright theological errors, historic errors, religious errors, moral errors, with a great residuum of truth for the

[15] *Nineteenth Century* for February, 1884, p. 197 f.

[16] Cf. *Dublin Review*, 1893, p. 540 ff.

[17] Cf. *The Expository Times*, January, 1902, p. 149 f.

Church to rest on, would only make an infallible Pope more necessary to tell us where truth begins and error ends. We expect the Pontifical Commission will have to determine for us where to draw the line between errors that do not count and downright errors.

It is not merely the divine authority of Holy Writ that must be defended; its human authority too needs to be guarded in several ways. Absolutely speaking, indeed, it is of little importance who wrote the Sacred Books, provided they have God for their principal author. But several considerations qualify the absolute indifference of the question of human authorship: (1) In the case of certain books, their time of composition enters as a vital factor into our present-day apology of divine revelation. According to Dr. Schmiedel, indeed, "the chronological question . . . is a very subordinate one;" "an earlier dating of the Gospels" would only force us "to say that the indubitable transformation in the original tradition had taken place much more rapidly than one might have been ready to suppose." Still, this very assumption of such an uncommonly rapid transformation in the original tradition renders the position of Dr. Schmiedel's school, if not positively ludicrous, at least critically untenable.[18] And it seems to us that up to the time of the Christian revelation the Mosaic age of the Pentateuch was as important a factor in the apologetic argument for the Old Testament revelation as is the Apostolic age of the Gospels in the defence of the Christian religion. (2) The human authorship of certain books is vouched for by a tradition that appears to reach up to the very age of their composition. (3) This tradition has been confirmed, in the case of a few Old Testament books, by the express testimony of Christ and the Apostles. (4) The Tridentine catalogue of the Sacred Books does not intend to settle the question as to their human authorship; yet the language of the Council is in certain instances very suggestive. Thus it speaks of the "Acts of the Apostles, written by Luke the Evangelist," of the "four Gospels, according to Matthew, Mark, Luke, and John," of the "five books of Moses," of the "first book of Esdras." (5) The Biblical critics are frequently influenced in their dating of the Sacred Books by their preconceived theories: real prophecies and miracles never

[18] *Cf. The Expository Times*, Jan., 1902, p. 146 f.

occurred, whatever may be said of their absolute possibility; hence prophetic books must be dated after their respective events, and books containing accounts of miracles must be placed late enough to allow time for the development of their legends. The religion and culture of the Hebrew people developed gradually; hence the books of the Old Testament must be dated so as to fit in with this historic evolution. History is impossible without written documents, and written records are not kept till after the formation of a clan or tribe into a State; hence Jewish history cannot begin before the time of Kings. Here then the Biblical Commission will have an ample field for the exercise of its authority; it will have to tell us, *e. g.*, whether it is a matter of indifference to assume a post-Mosaic authorship of the Pentateuch, or a divided authorship of Isaias.

The human authority of the Bible depends not merely on the identity of its inspired writers, but also on the character of the writing. Common figures of thought and language, indeed, may not interfere with the historical character of a document; but if lengthy portions of it are mere allegories, legends, or myths, its historical value is much impaired or wholly lost. In the *Nineteenth Century* for Jan., 1902,[19] Prof. T. K. Cheyne publishes an article entitled "The Turning-point in Old Testament Study." According to the Reverend author, we are now on the point of turning from the mere literary criticism of the Old Testament to its archæological or historical criticism. He considers Hugo Winckler's *Geschichte Israel's* as a good illustration of the work to be done. The whole of the early history of Israel is a collection of two kinds of legends: (1) Those which grew up round the heroes,[20] who were reflections of local divinities; (2) those which attached themselves to historical personages.[21] Abraham, Isaac, and Jacob are lunar heroes; David and Joseph are solar heroes; Sara and Bethsabee play the rôle of Istar, while Solomon corresponds to Nebo, *i. e.*, Hermes or Mercury. These theories are not considered by the critics to be the vagaries of a diseased imagination; they are seriously pro-

[19] P. 60 ff.

[20] Abraham, Isaac, Jacob, etc.

[21] *E. g.* the Judges and the early Kings.

pounded in the third edition of Schrader's *Keilinschriften und das Alte Testament*,[22] in Gunkel's *Legends of Genesis*,[23] in Paton's *Early History of Syria and Palestine*,[24] and they are substantially endorsed in Prof. Cheyne's article. We sincerely hope that the Pontifical Commission will never be called upon to warn Catholics against such historical criticism. But there is good reason for drawing the line more definitely between the allegorical and the literal sense of Scripture, seeing that in our days allegorism is not confined to the Alexandrian school or to Cardinal Cajetan.

3. The Interpretation of Sacred Scripture.—We do not intend to treat here of the grammatical sense of Scripture or the special historical color derived by many Biblical statements from their peculiar literary and chronological setting. It is the peculiar reverence a Catholic commentator of Holy Writ owes to the authority of Holy Church that calls for a few words of comment. The Vatican Council[25] has summarized our duties in this respect: "In matters of faith and of the morals which pertain to the building up of Christian doctrine, that is to be taken to be the true sense of Holy Scripture which has been and is held by Holy Mother Church, to whom it belongs to judge of the true sense and interpretation of the Holy Scripture, and therefore that it is not allowed to any one to interpret the same Holy Scripture against this sense or even against the unanimous consent of the Fathers."

First, then, the Council distinguishes between "matters of faith and morals which pertain to the building up of Christian doctrine" on the one hand, and matters of a different character on the other. Secondly, the Council obliges the Catholic commentator to follow the lead of Holy Church within the range of the former class of subjects. Now there are several practical doubts that can hardly be settled from the words of the decree: (1) What is meant by the phrase "matters of faith and of morals which pertain to the building up of Christian doctrine"? (2) Does the Council divide the contents of the Bible into the foregoing two parts, or is it the field of exegesis that is thus intended

[22] P. 240 ff.

[23] Chicago, Open Court Publ. Co., 1901.

[24] Scribner's Sons, 1901.

[25] Cap. ii. *De revelat.*

to be divided? (3) What is required to constitute "the unanimous consent of the Fathers"? (4) Does the Council equivalently declare that the Catholic commentator is independent of the Church and the Fathers in points that are not "matters of faith and of morals which pertain to the building up of Christian doctrine"?[26]

After the Pontifical Commission has settled some or all of the foregoing doubts for us, we shall be in a condition to urge with even greater emphasis the argument for the Mosaic authorship of the Pentateuch, based on the words of Christ, and Fr. Lagrange will no doubt be more confident in rejecting Abbé Loisy's views on the first chapters of Genesis.[27] And what we say of these two points will be true of a number of other questions concerning which our Catholic commentators are in doubt. We see, therefore, that the Pontifical Commission will prove to be a blessing to the light of revelation, even as the light of revelation has been proved to be a blessing to the light of reason. For Catholics must regard the Biblical Commission at least as a reflex of that light "which enlighteneth every man that cometh into this world."

THEOLOGY.

IN the *Theologische Quartalschrift* (Heft 4) P. Schanz devotes about fifty pages to St. Augustine's teaching upon Justification, noting the recent change of opinion by which even non-Catholic scholars recognize that SS. Paul and Augustine taught the doctrine of the Catholic Church rather than of the Reformers. But though St. Augustine is thus recognized, it must be admitted that many difficulties exist, especially with regard to his teaching on Justification. Attempts are made to interpret his words so as to lay exclusive stress on the subjective aspect of justification and to represent Luther as his true interpreter, and the mediæval theologians as misconstruing texts. It is attempted also to oppose some of his works to each other, as if the *De Fide et Operibus* were Catholic in tone, and the *De Spiritu et Littera* were

[26] *Cf. Zeitschr. f. kath. Theol.*, 1899, p. 282 ff.; p. 460 ff., 1900; p. 135 ff.; *Science Catholique*, 1900, p. 500.

[27] *Cf. Revue biblique*, Jan. 1902, p. 119 ff.; the Rev. author reviews Abbé Loisy's *Les mythes babyloniens et les premiers chapitres de la Genèse*, Paris, 1901.

Protestant; but as they were almost contemporary, being written in 413 A.D. and 412 A.D., respectively, this theory cannot stand. And although these works represent a decided advance on previous patristic writings, they in no sense contain teaching different from that of the Church or of the earlier Fathers. In vain do we seek for a passage which contains more than merely verbal resemblance to the doctrine of justification by faith alone. And all who recognize the Epistle to the Philippians as genuine, must admit the identity of St. Augustine's teaching and St. Paul's. Careful study will show that Chemnitz does violence to the meaning of St. Augustine, who teaches justification to be not a mere imputation of God's justice, but a real inner righteousness, an inherent moral quality, begun by grace and perfected in good works by charity. That such is his teaching becomes still clearer when we consider his idea of the nature of sin and of the difference between *reatus* and *actus peccati*. In his controversy with Julian all this is quite fully explained. The teaching on the fate of unbaptized infants is consistent with all the rest.[1] The same magazine contains the result of P. Diekamp's researches in the Vatican archives upon the works of St. John Damascene, and prints a hitherto unpublished work of that Father against the Nestorians, copied for Allatius about 1640 A.D., but lost, and therefore omitted by Laquien, whose edition of St. John Damascene appears in Migne.

The editor of the Innsbruck *Zeitschrift* (Heft 1) comments upon his magazine's having completed its twenty-fifth year, and takes occasion to present a retrospect and an outlook. Founded in the days of the Kulturkampf and the high-tide of Austrian Liberalism the periodical, under the management of the lamented P. Wieser, S.J., devoted itself to the current needs of the theological world.[2] The theologian to-day must aim at mastering the weapons of modern culture and overcoming the Church's enemies on their own territory; at completing the use of the inductive by means of the

[1] The article also includes consideration of the free activity of the human will, and of the function of the Church and the Sacraments in the process of justification and sanctification; and in conclusion P. Schanz declares that the difficulties discoverable in St. Augustine's teaching are at bottom the same as those which are to be found in Sacred Scripture.

[2] The programme of theology is then outlined.

deductive method; at setting the Church's continuity, catholicity, and unity over against the provincialism of her assailants; at making use of the results of Protestant scholarship without assimilating prejudices and rashness or subordinating the Catholic sense and Catholic science to the accomplishments of our enemies. Within the last thirty years Catholic theology has come to be hated and assaulted instead of silently despised as previously,—a good omen. The opposition between St. Thomas and Kant is recognized now as deadly and complete, being the strife of mediæval modes of thought with modern—to use the words of a prominent opponent.[3] As to the programme for theology in the coming century a great point must be the protecting of the matter and form of "the mind of the Church" against Protestant influences. Three hundred years ago St. Ignatius gave rules for thinking with the Church that are still worth remembering: to speak with respect of positive and scholastic theology, of the reception of the Sacraments, of the hearing of Holy Mass, of long prayer both inside and outside God's house, of religious orders and vows, of the veneration of relics and images of the saints, of pilgrimages, indulgences, and even of the candles lighted in the churches; to be ready to seek reasons to defend, but never to impugn the precepts of the Church; to approve, but never to criticize before the people, the conduct of our superiors, although sometimes we must speak of their bad habits to those who can apply a remedy. To-day, in some theologies we find a tendency to keep traditional Catholic opinions in the background, and sometimes to speak contemptuously of the Roman hierarchy and its labors, of the decisions of the Roman Congregations, of clerical education, of scholastic theology, of apologetical methods, of the teaching-methods of moralists, of devotional practices. If this can be excused as free of evil intention, at any rate it injures the short-sighted. Then again Catholic theology incurs reproach because, unlike heretics, it will fight for a word, as *consubstantialitas*, *persona*, *natura*, *transubstantiatio*—yet how else can accuracy be preserved? We must, then, attack these evil tendencies without respecting persons; we must oppose by a revival of scholasticism

[3] R. Eucken, *Thomas von Aquino und Kant, ein Kampf zweier Welten.* Berlin: Reuther und Reichard. 1901.

the attempt to substitute historical treatment of dogma for the speculative "Aristotelian" or "scholastic" method; we must beware of rashly adopting the conclusions of Scriptural scholars. Since, however, this age is especially sensitive to the charms of good literature—Nietzche, for instance, would be unknown but for his style—we must have some theologies written in an attractive form, although the plain and systematic way is most proper and useful for purposes of instruction. In truth, no other science contains so much material adapted to inspire fear, admiration, tenderness, and affection; hence theology affords a great field for fine literary work.

In the *Revue du clergé français* (January 1 and January 15) P. Besse sketches the history of the Thomistic revival. Up to 1860 a timid combination of Cartesianism and theology made up the substance of Catholic teaching; it was needful to discover a philosophical method which would accord better with the teaching of revealed truth. Under Pius IX Thomism revived somewhat, yet was but feebly welcomed in Rome. With the advent of Leo XIII its triumph was assured. Yet not at once; for although P. Cardella, in the name of all the professors of the Roman College, adopted St. Thomas as the standard of instruction, still Palmieri continued to point out the contradictions of the Thomistic system, the impossibilities it contained, and the extreme weakness of its proofs. After an interval the Encyclical *Æterni Patris* was published, and changes in the various faculties were insisted upon. P. Cornoldi was chosen by the Pope for the Roman College, and P. Zigliara for the Minerva; Mons. Lorinzelli and Mons. Satolli were placed in the Propaganda, and Mons. Talano in the Apollinari; P. Palmieri and Caretti were removed. Still were there difficulties to be overcome. P. Cornoldi was inclined to give all to St. Thomas and nothing to Suarez, and in consequence soon left the Roman College. P. Billot was attacked by "the Suaresians," but was restored to his position by the personal intervention of the Pope. The value of the Thomistic system comes from this, that in the discussion of philosophical questions it never forgets that its conclusions must square with the truths of revelation. The Thomists, however, though strong upon tradition, are not of equal value in critical and scientific work. The Neapolitan group, for instance,

accept without examination Sanseverino's critique of modern ideas and methods. Hence an opposition between Thomism and many of our contemporaries. Hence, too, an impossible series of opinions advanced by some writers, such as Ventura, Schiffini, Zigliara, Liberatore, Zanon, Argan, Mazzella, Cornoldi. At Louvain, however, we may see remarkable results obtained by the Thomistic when allied to scientific methods; which shows that existing defects are traceable less to the system than to the tactics of some among its exponents.

In the same magazine (December 15 and January 15) P. Turmell studies the theological method of Petavius. Few positive theologians, if any, have presented the teachings of the Fathers with so exhaustive an erudition and so unbiased a mind as Petavius. The great Jesuit shows St. Augustine to have held to predestination *ante praevisa merita*, and frankly declares that some of the weightiest ante-Nicene Fathers held an extremely dubious position as to the Consubstantiality of the Son with the Father. A curious incident in the history of theology is the spectacle of the great Anglican theologian Bull defending the ante-Nicene Fathers against what he considers the Arianistic interpretation of Petavius.

Considering the theological outlook in the twentieth century, George Grant, in the Chicago University *American Journal of Theology* (January) begins with insisting upon the noble results of the labors of theologians in the past, such as Paul, who "had to construct a theology;" Augustine and Athanasius—respectively foremost among the Latins and the Greeks; and Luther, "the theologian who should be honored by all who are true to the modern spirit, the spirit which claims independent thinking, free examination, searching criticism, as the birthright of philosophy and science." "The Reformation has been doing its work through two centuries in physical, chemical and biological science, in speculation, history and criticism, in politics, economics, and ethics, in comparative religion, in art, in every department in which man seeks for the true, the good, or the beautiful." The Reformation has not yet done its work, having been arrested by external opposition and internal reaction; but as these forces are now exhausted, the Churches of the Reformation seem to be free to

regenerate society by freely carrying out their principles. The great condition for this will be to accept and to study the Bible as a piece of literature; and as we have to construct a theology adapted to the varying needs of Hindoo, Mongol, and Christian peoples, much is yet to be done. In finding a common ground, an essence of Christianity, we shall be guided by that Christian consciousness, common to all the Churches, which maintains "that Jesus, the Founder of the perfect spiritual religion, is the Christ promised in the Old Testament, and that He belongs to a higher order of being than the merely human and is, in a unique sense, one with God the Father." The philosophy of evolution, though at present unwilling to accept this view, must eventually submit to it; and the great Churches of the Reformation will rewrite their confessions and adapt them to our times. Nicæa, Ephesus, Chalcedon, Constantinople, and Westminster will all alike be set aside.—Other interesting contributions to the same magazine are as follows: A. Millard, sketching the career and theology of Nathanael Emmons—one of Jonathan Edwards' successors, and an advocate of "Hopkinsianism"—tells how he figured prominently in the movement away from the original positions of Calvinism.—Stoyan Vatralsky describes a secret Mohammedan sect, "the Babists," which under the veil of secrecy is spreading rapidly" through America, especially in the neighborhood of Chicago and in Wisconsin; he thinks it worthy of note, in view of the fact that the greatest religious changes in history have occurred without attracting the attention of contemporary scholars. —W. Muss-Arnolt pleads for support for the languishing *Theologischer Jahresbericht*, one of the most famous and most scholarly of Protestant publications, and contributed to by such men as Nippold, Holtzmann, Dorner, etc. It is stated that the editor-in-chief receives no compensation for editing the 1200 pages of the magazine and that the contributors receive only most insignificant honoraria. It is worthy of note that the present issue of the Chicago magazine contains a couple of book-reviews from the pens of Dr. Hyvernat and Dr. Shahan of the Catholic University.

P. Ferreres, writing in *Razón y Fe* (January) on *Sponsalia* in Spain and in Latin America, brings forward documentary evidence and arguments to prove: (1) That we have practical, moral certainty

that in Spain all *Sponsalia* which do not include "the public writing are null" *in utroque foro.* (2) That the same holds true with even greater certainty as to Latin America. This is interesting and important, because, according to the common law of the Church, mere mutual consent in *Sponsalia* suffices to produce three effects—an obligation in justice, an impending impediment to any other marriage, a diriment impediment to marriage within the first degree of consanguinity.

In the *Revue Bénédictine* (January) Dom Chapman continues the article in which he began to prove (October, 1900) that Hegesippus really composed a list of Popes as far as Anicetus. First of all, against such scholars as Harnack, Zahn, McGiffert, and Ehrhard, he arrays the names of Lightfoot, Renan, Duchesne, Funk, Weizsacker, and Salmon as authorities that the phrase *διαδοχὴν ἐποισάμην*, used by Hegesippus and cited by Eusebius, signifies "I have made a list." "Other arguments" show that the list cited by Irenæus, by Hippolytus, by the *Carmen contra Marcionem*, and by Epiphanius, was the very list constructed by Hegesippus. Harnack's reconstruction of the list seems to be correct; and the list, upon comparison with other ancient lists, appears to be our earliest witness as to the traditional data of the Passion.

PHILOSOPHY.

With the Ancient Sages.

OUR last paper offered a classification of the principal systems of philosophy as they occur in the history of the mind's endeavor to solve the problems of the self and the universe; the what, the whence, the why, and the whither of things. A strange medley it all seems, uncomplimentary at best to the sanity of the human intelligence, and beckoning onward by no encouraging hope the seeker after wisdom. If the farthest and the deepest-seeing of human kind groped so blindly and stumbled so pitifully in their search for the ultimate truth, what may they of dimmer vision and less practiced step expect? And yet the errors and contradictions of the system-builders of philosophy are for us an assurance of truth-finding and consistency. None of them wholly

erred; and by what truth they taught posterity may profit, while that wherein they mistook the false for the true or builded amiss, will teach us what to shun. It was thus the Angelic Doctor read the history of philosophy. "Necessary is it," he says, "to receive the opinions of the ancients whosoever they be. For this, indeed, is doubly useful. First, because that which they said well we may take unto our own advantage; secondly, because that which they taught amiss we may avoid."[1] Not unworthy of attention either is the unmistakable moral that runs through all the story of philosophy, the lesson indeed of universal history, that human thought any more than conduct can never with safety to its saneness lay aside the supernatural. When the mind sets out in quest of ultimate truth, it is sure to lose itself hopelessly, unless it take with it the chart and compass of revelation. Philosophy, it is true, is essentially and always a rational science. Its object-sphere is what reason presents to it, and it explores that sphere with reason's eye. None the less, if a higher light illumine not the philosopher's mind, even though faith be not for him the instrument of research or the motive of his assents, he will inevitably go astray in his own field, and lose himself in his own abode. Why this is or should be so, does not concern us here to inquire. That so it is, the ever-recurring cycles of contradictory philosophies, old and new, unmistakably evince. We are going to visit the ancient sages to learn of them their wisdom, to study how they solve the problems of Being and of conduct. But where shall we begin? Which of the hoary sages question first? Guides in these ways, books that record the sayings of the wise, for the most part introduce us to Thales, the first, as they tell us, of the sapient Greeks. Some, it is true, would have us linger for a time with the Egyptian priests in the temple of Isis to ponder over their esoteric lore on the life to come, the stern judgment after death and the sorrows of transmigrating souls. Others would have us tarry on the plains of Iran to study with the Magi the primal struggle between Ormadz and Ahriman, light and darkness, good and evil, the ever-repeated

[1] "Necesse est accipere opiniones antiquorum, quicumque sint. Et hoc quidem ad duo erit utile. Primo quia illud quod ab his bene dictum est accipiemus in adjutorium nostrum. Secundo quod illud quod male enunciatum est cavebimus."—*De An.*, l. 1.

dualism to which the natural mind is prone to refer the unceasing conflict in the physical and the moral world. Learnedly garrulous Brucker at the opening of the first of his six huge quartos on the history of philosophy[2] bids us visit the venerable sages of antediluvian times, and then in turn the Hebrews, Chaldeans, Persians, Indians, Arabs, Phœnicians of the Orient; the Egyptians and Ethiopians of the South; the Celts and Gauls and Germans of the West; the Scythians, Thracians, Getae, and other hyperborean sages less known to fame. Doubtless a journey to all these cradle-lands of philosophy would prove highly interesting; and to question the venerable sages through so erudite an interpreter as Jacobus Brucker could not fail of being instructive; but the art were too long for the brevity of life. Let us instead pay just a flying visit to a land unmentioned even by the omniscient German professor, the celestial kingdom, China. Let us hearken to the first of her unmythical professors, Lâo-Tsze. Not without mystery is this sage's name, for the Chinese characters which compose it may mean "the Old Son," or "the Old Philosopher," and even "the Old Boy;" the reason of this designation being given in the legend which declares that *Ti-Urh*, his other name, was "born old," with silvery locks indeed. According to his biographer Sze-ma Ch'ien, Lâo first saw the light in a hamlet not far from the present city of Kweiteh, in the province of Ho nan. The date of his birth was probably about 604 B. C., so that he was a contemporary of the other great Celestial sage, *Khung-tsze* (Confucius). Not much is known of his life, save that he was for a time historiographer and a royal librarian at the Court of Ch'ûu. Lâo tsze cultivated the Tâo and virtue, his chief aim in his studies being how to keep himself concealed and unknown. He resided at the capital of Ch'ûu; but after a long time, seeing the decay of the dynasty, he left it and went away to the Gate, at the entrance of the pass of Han-kû. Yin Hsi, the warden of the Gate, said to him: "You are about to withdraw yourself out of sight, I pray you to compose for me a book (before you go). On this Lâo-Tsze made a writing setting forth his views on the *Tâo* and virtue, in two sections containing more than 5,000 characters. He then went away and it is not

[2] *Historia Critica Philosophiae*, Tom. I, Lipsiae, 1742.

known when he died." Could Yin Hsi, the warden at the Gate, or Ch'ien, the biographer, have had a premonition of the perplexities into which Sinologists of our day were to be cast by that simple word Tâo? *Tâo Teh King* is the title of the writing in which Lâo sets forth his views on the Tâo. But as to what *Tâo* may mean, scholars are sorely puzzled. Some translate it "virtue," others "reason," others "the word" (*logos*), others "nature." Chalmers in his *Speculations on Metaphysics, Polity and Morality* of the "Old Philosopher," says that no English word is its exact equivalent. Douglas in *Confucianism and Tâoism* prefers the sense in which it is used by Confucius, "the way," that is, μέθοδος. This also is the meaning given it by M. Stanislaus Julien, who first brought the treatise of Lâo to the modern world in his translation, *Le Livre de la Voie et de la Vertu* (Paris, 1842). Nevertheless Professor Douglass goes on to say that, "Tâo is more than the way. It is the way and the way-goer. It is an eternal road; along it all beings and things walk; but no being made it, for it is being itself; it is everything, and nothing, and the cause and effect of all. All things originate from Tâo, conform to Tâo, and to Tâo at last they return." Whilst some find in the treatise expressions which may indicate Lâo's recognition of the Creator, its burden and trend seem to be purely pantheistic. It contains passages, however, in which, if we did not know the ubiquitous tendency of the philosophical mind unenlightened by faith to lapse into pantheism, we might find the origin of modern Hegelianism. For instance:

"The Tao (§ 1) is the unnamable, and is the origin of heaven and earth. As that which can be named, it is the mother of all things. These two are essentially one. Being and not-being are born from each other (§ 2). The Tao is empty but inexhaustible (§ 4), is pure, is profound, and was before the Gods. It is invisible, not the object of perception, it returns into not-being (§§ 14, 40). It is vague, confused and obscure (§§ 25, 21). It is little and strong, universally present, and all beings return into it (§ 32). It is without desires, great (§ 34). All things are born of being, being is born of not-being (§ 40).[3]

What is all this but Hegel's aphorism: *Sein und Nichtsein ist dasselbe?*

Such, then, is the speculative side of Lâo's philosophy. His ultimate explanation of the universe is a reduction of the totality

[3] Clark's *Ten Great Religions*, p. 54.

of things, the Self included, to an all-absorbing One. It is Indian Brahmanism, with which it was contemporary. It is Spinozism of the seventeenth, and Hegelianism of the nineteenth century. Pantheism can, of course, give no consistent solution to the problem of conduct. If man is but an emanation from the great All into which it is his destiny to be reabsorbed, he has no freedom. All his conduct is necessitated by the fatal evolution of Being; good and bad, virtue and vice are equally inevitable conditions of his activity. Still, Lâo-Tsze, as every other pantheist, was a *man* and as such had either to think out or accept on authority a theory of conduct. He chose to do the former, and the result was the familiar pantheistic ethic,—absolute quietism, and resignation.

"As being is the source of not-being (§ 40), by identifying one's self with being one attains to all that is not-being—*i. e.*, to all that exists. Instead, therefore, of aiming at acquiring knowledge, the wise man avoids it; instead of acting, he refuses to act. He 'feeds his mind with a wise passiveness' (§ 16). '*Not to act* is the source of all power,' is a thesis continually present to the mind of Lao (§§ 3, 23, 38, 43, 48, 63). The wise man is like water (§§ 8, 78), which seems weak and is strong; which yields, seeks the lowest place; which seems the softest thing, and breaks the hardest thing. To be wise one must renounce wisdom, to be good one must renounce justice and humanity, to be learned one must renounce knowledge (§§ 19, 20, 45), and must have no desires (§§ 8, 22), must detach one's self from all things (§ 20) and be like a new-born babe. From everything proceeds its opposite—the easy from the difficult, the difficult from the easy, the long from the short, the high from the low, ignorance from knowledge, knowledge from ignorance, the first from the last, the last from the first. These antagonisms are mutually related by the hidden principle of the Tao (§§ 2, 27). Nothing is independent or capable of existing save through its opposite. The good man and bad man are equally necessary to each other (§ 27). To desire aright is not to desire (§ 64). The saint can do great things because he does not attempt to do them (§ 63). The unwarlike man conquers. He who submits to others controls them. By this negation of all things we come into possession of all things (§ 68). *Not to act* is, therefore, the secret of all power (§§ 3, 23, 38, 43, 48, 63)."[4]

With the Recent Philosophers.

From what may seem to the reader the vague speculations and moralizings of the ancient Chinese sage to the nicely measured facts of recent science the way is long, long almost as the intervening millennia of time. And yet when facts are gathered, weighed and measured, and the immediate inferences ever so care-

[4] Clark, *ib.*

fully tested, the speculative mind of to-day is no more satisfied with the result than was the venerable Lâo when he passed from out the midst of his calculating countrymen to the entrance of Han-Ku, there in loneliness to ponder over the deeper mysteries of life and destiny. Life—what is life? To the mind of Ti Uhr it was a question of origin and conduct. Tâo, the All, is life. From it all things living emerge. To it all return. To live, according to Tâo, is virtue, wisdom. The matter-of-fact scientific philosopher of to-day seeks the definition of life by no such *a priori* methods. The analysis of things that live, plant and animal and man, furnishes his data. Thence only may syntheses be formed of life in its higher and wider ranges, its source and its requirements for human conduct. Scalpel and forceps must shred the living tissue and microscope lay bare the cell, the home in which life dwells, the mechanism in which it works.

A glance into cell life which the well-known entomologist, Father Wasmann, S.J., affords the readers of the *Stimmen aus Maria Laach*,[5] sets forth some of the curious things histologists have discovered in the tiniest elements of plant and animal. Under his luminous description one follows the course of the protoplasmic granules in the unicellular amœba and the wanderings of the leukocytes through the tissues of multicellular animals. One can almost see these migratory corpuscles dipping their pseudo-feet into the living meshes, gliding mysteriously through the tissues, eating up waste particles and hostile microbes, and expelling foreign substances from the organism. The external motions of the cell-body in the flagellate and ciliate cells, and the functions of the latter along the membranes of the air and food passages, are graphically described, and the activity of the cell-body is shown in its formation of intercellular products, such as starch, fat, and hæmoglobin. Worthy of note are the author's conclusions on cell division. Nucleus and cytoplasm are both essential to cell life. A cell body without a nucleus is practically as impossible as a nucleus without a cell body. In the normal cell the nucleus may be called the point of centralization, the principle of organization. The ordinary functions of life may be carried on by the cytoplasm, but multiplication and transmission are im-

[5] Ein Blick in das Zellenleben, Jan., 1902.

possible without the nucleus. The nucleus is the bearer of heredity, and within the nucleus it is the *chromatin* that exercises this peculiar function. Ultimately, therefore, so far as histology can now determine, the infinitesimal grains of chromatin are the principles of individuation, so that in the division of infusoria, for instance, there will develop, *per se*, as many new individuals as there are chromatin particles in the nucleus.

Father Wasmann's paper is descriptive. It did not fall within its scope to offer any philosophical theory on the root-principle or essence of life. And yet one cannot read it without the haunting consciousness of the deeper question that vexes the modern biologist,—what is it that coördinates individual cell activities and maintains the organic unity of the body? Upon this question hang both the problem of transmission of acquired characters and the conception of life itself. Schwann, the father of the cell theory, thought that the life of the organism is essentially composite; that each cell has its independent life, "and that the whole organism subsists by means of the reciprocal action of the single elementary parts."[6] This conclusion, elaborated by Virchow and Haeckel into the "cell-state" or "colony-theory," has been widely accepted by the modern biologists. It is gratifying, however, to find so recent and so competent an authority as Wilson on the other side. "As far as growth and development are concerned it has now been clearly demonstrated that only in a limited sense can the cell be regarded as coöperating units. They are rather local centres of a formative power pervading the growing mass as a whole, and the physiological autonomy of the individual cell falls into the background . . . Broadly viewed, the life of the multicellular organism is to be conceived as a whole, and the apparently composite character which it may exhibit is owing to a secondary distribution of its energies among local centres of action." (*Ib.* 59.) The writer goes on to discuss the means by which the individual cell comes into relation with the totality of the organism and by which the general equilibrium of the body is maintained. The tendency of biological theory at present is to look upon the whole body as a *syncytium*, a vast cell in which the

[6] *Untersuchungen*, apud Wilson, *The Cell*, second edition, Macmillan Co. 1900. Pp. 58.

individual cells are simply nodal points in a general reticulum, and the body a continuous protoplasmic mass.

In our last paper, we alluded to M. Vignon's recent essay in which he argued for a return to the Aristotelian conception of force (form) as the principle of activity and specification both in the mineral and the living organism. Is it too soon to expect that biology will find in the philosophical theory of "matter and form" the only satisfying explanation of the coöperation of the cells in the plant and the animal? Apropos of this query, the leading article in the January *Revue Thomiste*, is suggestive. Entitled *L'individualité des Animaux Superieurs*, the principle of unification in the lower (invertebrate) animals and plants is not discussed. The writer does not attach much weight to the analogical argument (for individual unity) transferred from human consciousness to the animal organism, or to the argument from sensation. Our only criterion of existence, and consequently of individual unity, is activity. Action, however, to reveal the unity of the agent, must have two conditions: (1) *association* of activity among the parts must be excluded; (2) the product of each part must show the influence of all the parts constituting the whole. Now, there is one action of higher organisms which, invested with these conditions, manifests the individuality of its principle—the action whereby the animal transmits its nature to its descendant. That the root-source of this activity is the individual unity of the progenitor and not a mere coalescence of separate cell activities, is evident from the resemblance of the offspring to the parent—a resemblance which is not confined to main lines and characteristics, but often includes the minutest details. Family likeness may be transmitted for generations, and even such apparently insignificant peculiarities as local discolorations of the skin become hereditary. The radical principle of transmission is not simply, as Weismann maintains, the germ plasm, but the unity of nature resulting from what Aristotle and the scholastics denominate the *substantial form* of the organism. In this theory the difference between the opinion of Weismann and that of the Lamarckians as to the transmission of acquired characteristics meets with a conciliation. If the *substantial form* of the progenitors is the true principle of transmission, it is obvi-

ous why the accidental characteristics of the body, the matter, need not be transmitted; while, on the other hand, the *substantial form* being the determining or actuating principle of the *entire* organism, it *may happen* that, for reasons as yet unknown to us, contingent modifications of the organism may be passed on to the descendants. To the question, therefore, as to whether acquired characteristics are hereditary, no univocal answer is in the present condition of science possible. Some such characteristics are, some are not transmitted. The precise line of differentiation is as yet undiscernible.

If it be asked what is gained to human science by introducing the vague metaphysical entities, substantial form and matter, in explanation of organic individuality, the answer may be that the gain is, first, that which all science aims at immediately or mediately, viz., the reduction of its subject-matter to ultimate concepts; secondly, the scholastic theory brings the physical phenomena into a system of unified knowledge wherein the objective and the subjective orders, the world and the mind, are seen to complete each other. If this itself seem vague, we have only to reply that higher concepts are necessarily so. They must need sacrifice content to gain extent. As their horizon widens, they cannot but leave details of the landscape unpictured.

In connection with this biological problem should be mentioned a discussion appearing in the same number of the *Revue Thomiste* on the relation of transformism to metaphysics, growing out of M. de Kirwan's articles on evolutionism which appeared in the September and October issues of the *Revue*. The Abbé Blanc claims that there are radically essential differences amongst organisms which cannot be bridged over by inherent evolutionary processes. M. de Kirwan admits this, but urges the difficulty of determining where really specific differences exist in nature. Might they not be drawn, for instance, at the branches or orders into which naturalists usually divide the organic kingdoms? The Abbé Blanc would doubtless claim very many more limitations than these and in accordance with his principles would appeal to the above-mentioned criterion of species—their continuous fertility.

Criticisms and Notes.

THE BOY SAVER'S SERIES. Booklet the second. Natural Attractions. By the Rev. George E. Quin, S.J. New York City: Messenger Library. Pp. 135.

We confess to being decidedly impressed by Father Quin's methods of fortifying our Catholic young men against the multiform danger that threatens the preservation of their faith after they have left the tutelage of the home or the school. It makes distinctly against that most insidious view of the secular mind which considers philanthropy the equivalent of religion, whilst on the other hand it combats the naturalistic tendency towards paganism which shows itself in an exaggerated devotion to physical and mental culture as the highest aim of our future manhood. Yet while Father Quin recognizes the excess of either sort as disastrous to the moral and social progress of the present generation, he does not exclude either philanthropy or physical exercise from his programme as means to a nobler end. If the expedients suggested as promoting physical and mental vigor succeed in "making boys robust, intelligent, tasteful—well and good. If by providing occupation, etc., these same expedients are of a kind to always promote juvenile morality—well and better;" but his immediate object is to suggest inducements, which in the form of desirable attractions will *fill and strengthen religious societies*, thus drawing the young to life-long and *practical profession of the Catholic faith*. All the elements that may be usefully and lawfully employed to support this chief aim are sketched, analyzed, and excellently illustrated in a clear, terse style which shows that the writer speaks from conviction and experience with boys' nature and man's hope.

We have met many priests throughout the country who have made earnest attempts to organize societies of young men, and who, after repeated and earnest trial, found themselves obliged to abandon the work, owing to the discouraging difficulties of keeping their boys within those limits of enjoyment and subordination on which their future good depends. Father Quin shows up these difficulties, points out their inevitable characteristics, and the only remedy by which these may be turned to good account. The necessity of "stooping

with dignity," of avoiding "favoritism," of keeping within "the sacred precincts," of taking into account the propensity of youth for show, notoriety, chivalry, etc., are so admirably discussed, that no essential aid to accomplish the end seems to have escaped the observation of this priestly guide for juveniles. The direct means to promote the healthy enjoyment of boys, with all the accidental helps, such as badges, torchlight parades, prizes and paraphernalia, are treated in detail. The financial question—its educational and disciplinary side, its economic side—receives that thorough attention which an organizer must demand to insure his enterprise against ultimate failure.

Father Quin's first pamphlet was entitled "Organizers and their First Steps." We commended that pamphlet in these pages at the time as it deserved; but this second booklet is a necessary complement to the former. It inculcates the most vital principle of perseverance and patience, aside from a clever way to make the best of the boyish humors and to turn them into permanently useful channels. A third pamphlet is to follow, under the title of "Indoor Fun." It will be, among other things, a directory for conducting *boys' clubs*, that most problematic feature of juvenile life in a large parish, which alike tries priest and parent. We recommend this series for careful study to every priest interested in the training or preservation of boys. It would be a wisely spent effort to give our seminarians a thorough course of instruction with Father Quin's booklets as a text.

LE CANADA ECCLESIASTIQUE. Almanach annuaire du Clergé. Pour l'année 1902. Montreal, Canada: Publié par Cadieux et Derome. Pp. 329.

Cadieux and Derome continue to publish their ecclesiastical annuary for the current year in the same handsome style as that volume has assumed within the last few years. The usual features of the festive calendar, the list of Roman prelates, of the various Congregations, Apostolic and diplomatic nunciatures, the regular and secular clergy in the Canadian provinces, are brought up to date, and thus supplement the statistics made in the current British (Burns and Oates) directory for Canada, which were evidently taken from last year's census. The difference is indeed very notable. The Canadian directory shows twenty-eight Dioceses, four Vicariates Apostolic, and a Prefecture Apostolic which is under the administration of the Bishop of Chicoutimi. This as well as the erection of the Vicariate of St. Georges (Mgr. Neil McNeil, Terreneuve) are by an oversight omitted from the summary (*Directoire Général*) on page 236.

Among the new erections we have the Vicariate Apostolic of MacKenzie, north of Athabaska and reaching into the arctic regions of the North Pole. Mgr. Gabriel Bregnat, O.M.I., appointed for the government of the Vicariate, has not yet been consecrated. The new Vicariate of Athabaska is governed by Mgr. Grounard, consecrated last August. The Vicar of Saskatchewan has his residential seat at Prince Albert. There are now coadjutors to Chatham, Nicolet, Saint Albert. The Rt. Rev. Casey has been appointed to St. Johns, N. B.

A notable feature of the directory is the illustrations giving portraits of historical ecclesiastical personages, as well as of various institutions, which show the educational and charitable progress of the Canadian Church during the past decade.

LE VOCABULAIRE PHILOSOPHIQUE. Par Edmond Goblot, Docteur ès Lettres, Chargé de cours à l'Université de Caen. Paris: Librairie Armand Colin. 1901. Pp. xiii—489.

PHILOSOPHIE GÉNÉRALE ET MÉTAPHYSIQUE. Tome I de la Bibliothéque du Congrès International de Philosophie. Paris: Librairie Armand Colin. Pp. xxii—460.

The first of these two books is a serviceable handbook of philosophical terminology. The author has not attempted to exhaust the subject, but rather to present it in relation to the everyday wants of the student of philosophy as well as the general reader. He has, therefore, aimed at brevity and clarity rather than at erudition. The meanings of philosophical terms are not set forth in their historical development, as is the case in such cognate works, for instance, as Eisler's *Phil. Wörterbuch*, but in their actual use by contemporary philosophical literature. From this standpoint the book will serve the reader of present philosophy in the French language.

The other work whose title appears above brings together the papers on general philosophy read before the International Congress that met at Paris during the recent Paris Exposition. The opening address by Professor Boutroux is a clear statement of the present position and the future outlook of philosophy, especially in relation to the physical sciences. There follow in order essays on the psychological origin of our belief (?) in the law of causality; the relation of spatial intuition to intellectual representations; contemporary idealism; metaphysics and positivism; the teaching of philosophy in the university and secondary educational institutions; the education of the *Ego;*

the neo-critical doctrine of the categories; psychology and hypnotism; the dialectic of the antimonies; the association of ideas; the conception of cause and of condition; criticism and fixation of philosophical terminology; rationalism and fideism; positive science and the philosophies of liberty; number, time, and space in their relations to the primary functions of thought; metaphysics as a science; the creative synthesis; the idea of evolution in its relation to the problem of certitude. This, it will be noticed, is a wide and, for the philosophical specialist, an interesting programme. The papers are the work of eminent professors of various nationalities, and as a consequence may be taken as fairly representative of contemporary philosophy in Europe. The value of the collection lies therefore not in the intrinsic truth of the teaching and opinions it embodies, but in its reflecting the general color or temper of the present-day speculation. As an indication, consequently, of what serious-minded men are now thinking on ultimate problems, and how their aspirations are tending towards a universal science, the work commends itself to the professor and special student of philosophy.

THE ADORATION OF THE BLESSED SACRAMENT. By the Rev. A. Tesnière, Priest of the Congregation of the Blessed Sacrament. Translated by Mrs. Anne R. Bennett-Gladstone. New York, Cincinnati, Chicago: Benziger Bros. 1902. Pp. 288.

In conjunction with Father Tesnière's *Reflections and Considerations on the Blessed Sacrament* we have here a further series of meditations upon the characteristic sources and forms of worship given to the Adorable Eucharist. To know why we should love our Divine Saviour and honor Him in the humble sphere of the sacramental mystery is a wonderful help not only to faith and piety, but also to the enjoyment of that peace and happiness which somehow seems bound up with a deep devotion to the Real Presence. Christ on earth, Emmanuel, ever with the children of men, means a soothing of every pain and sorrow, a perpetual buoying up of hopes and confidence, an actual fruition of the purest delight in the consciousness that the Divine Master's eye is perpetually upon us, and that His Sacred Heart opens with most generous readiness to all our needs and desires.

Father Tesnière explores the entire ground of the causality, if one may use that term here, of the Eucharist. Why Christ instituted it; why it abides with us; why we could not do without it; why we should adore it with grateful eagerness; and how we are to put our-

selves in the right attitude towards God during prayer before it in the tabernacle, or at public exposition,—these questions the author answers in his thoughtful way. The chapters are divided into points suggesting adoration, thanksgiving, reparation, and practice as the train of motives upon which we proceed in our reading. Priest and people will alike profit by the work of Father Tesnière and his translator.

CONSTITUTION DE L'ÉGLISE. Conférences Apologetiques. Par M. l'Abbé R. Planeix, Chanoine Honoraire, Supérieur des Missionnaires Diocésains de Clermont-Ferrand. Paris: P. Lethielleux. Pp. xvi—414.

In a former series of apologetical conferences the Abbé Planeix treated of the Church on its doctrinal, moral, historical, and social sides, and from these points of view drew out the arguments for her divine origin. In the series published in the volume at hand the same thesis is established by a study of the Church's internal constitution. Having developed in the first conference the proof from her social organization, eight consecutive discourses are devoted to the arguments deduced from the Papacy,—the testimony from the Scripture and tradition; from history; from its struggles with its enemies, material and intellectual; from reason; from the exercise of its authority along the ages; and from its infallibility, being successively reviewed. A subsequent chapter treats of the episcopacy; another, of the clergy; and the two closing conferences, of the religious orders. The arguments throughout are succinctly but clearly formulated; and the style is vivid, yet trenchant. Inspiring to the general reader, it will be especially suggestive to the priest in the preparation of sermon or lecture on the Church.

L'ACTION DU CLERGÉ DANS LA RÉFORME SOCIALE. Par Paul Lapeyre. Paris: P. Lethielleux. Pp. viii—407.

The question controlling the thought in this series of essays is, whether in the present sadly-needed reformation of society the clergy have a special mission; and if so, in what that mission consists. Ought they, to use the author's phrase, retire *dans la solitude factice et systématique des presbytères ou des monastères?* or, should they be as leaven to the lump, uplifting by their personal presence and example, as well as permeating by their teaching, the social masses? The first part of the volume treats of the general principles which the writer

thinks should regulate the formation of the clergy; the second, with the social end at which they should aim; the third, with the means thereto, especially with those recommended by Leo XIII in his Encyclical on the Third Order of St. Francis; the fourth and last, with what the author calls the *liquidation of the past*—that is, the acceptance of the persecution to which the Church in France is being subjected, with a recognition of its retributive justice for the iniquities and disorders of the past. To the reader who wishes to see somewhat below the surface the social conditions, ecclesiastical and civil, of the French people and their clergy, the third part of the work will be found highly instructive. The remainder of the volume, though written primarily in view of the state of affairs in France, unfolds principles that have a universal application, especially at the present day. The writer sets forth these principles with a firm hand, with the knowledge and prudence of a skilful physician and with the heart of an apostle. The volume forms a fitting sequel to the author's inspiring studies in *Social Catholicism*.[1]

ORDO BAPTISMI PARVULORUM. Cum Approbatione. New York and Cincinnati: Fr. Pustet & Co. 1902.

The advantage of this edition of the solemn baptismal service of infants is its convenient form and large typography, with the customary responses in English, German, French, Italian, and Polish. It is bound in stiff boards and can easily be held in the hand for the reading of the form while the rite is being performed. It does away with the troublesome use of the complete ritual for a function which is used much oftener than the other portions of the volume.

McVEY CALENDAR. 1902. For the people. Philadelphia.

Although this calendar is evidently intended to be a publisher's advertisement, it aims in its contents to furnish a good amount of helpful information to Catholics for practical guidance in the affairs of business and religion. The last four folios are devoted to a summary of ecclesiastical events during the past year which is taken from this magazine.

[1] *Le Catholicisme Social ou Christianisme Intégral*, 3 vols.; *Les Vérités mâles; Les Remèdes amers; Le Retour au Paradis terrestre.*

Book Notes.

The Rev. George O'Neill has composed a new "Hymn to St. Patrick," likely to become popular as a Church hymn. Dublin, Ireland: Fallon & Co.

Biblia for February gives an interesting account of the excavations recently made at Babylon, under the auspices of the German Oriental Society. Drs. Delitzch, Hilprecht, and Weissbach, with other noted Assyriologists, were able to determine the historical and Biblical importance of the finds by their readings of the inscriptions. The uncovered portions reveal the magnificent palace of Nabuchodonosor (Nebuchadnezzar) the Great, 600 B. C. (604–561). The researches have proved that its main hall was the scene of the fatal last banquet of Balthasar (Belshazzar) on the night (Tammuz 16th, 538) when the first of the empires fell. Here also Alexander the Great died (323). A magnificent broadway leading from the palace eastward and paved with inscribed flags has likewise been opened. It was apparently the *via sacra* of Babylon, corresponding with the Appian Way in the Roman capital. Along this way, about one-third from the end, the excavators have revealed the remains of the temple of Ishtar, the supreme goddess, "the lady of battles and the archeress of the gods."

Dr. J. P. Peters, who announces for publication a work of pre-historic archæology, will during the present year take part in the archæological investigations in Palestine. He was formerly director of the Babylonian expedition at Nippur.

The latest instalment of Assyrian inscriptions published by the eminent Orientalist Father Scheil (*Notes d'epigraphie et d'archéologie assyriennes*) brings among the other valuable discoveries made by him a curious Babylonian text of the time of the Achæmenids (Persian dynasty about 600 B. C.); also a text which supplies the Babylonian names of deities found on the monuments.

We are anxiously awaiting Professor Hilprecht's promised history of Assyrian and Babylonian exploration within the last century. It is to represent his own work during the last twelve years, which means a discovery of about 60,000 cuneiform inscriptions. Professor Hilprecht is of opinion that the ancient Babylonian temple, unearthed at Nippur during the late expedition sent out by the University of Pennsylvania, was founded not later than seven thousand years before Christ. Professor Flinders Petrie, in an article in *Harper's Monthly Magazine* (October, 1901), traces civilization in the Nile Valley back to about the same age.

The Pilot (Boston) reprints in its successive issues for 1902 those poems of John Boyle O'Reilly which are now altogether out of print. Some of these are exquisite in both religious sentiment and form.

Recent numbers of the *Journal of the Royal Society of Antiquaries of Ireland* contains a paper of interest to ecclesiastical students of Irish archæology. *The Christian Sepulchral Leacs and Freestanding Crosses of the Dublin Half-Barony of Rathdown*, by Patrick J. O'Reilly. The last issue (December 31, 1901) brings the third instalment of the series.

The last number of the international *Revue Biblique* (January, 1902), published at Jerusalem by the Dominican Fathers, has a critical study of the introduction to the Book of Judges by the editor, Père Lagrange. He also continues his interesting notes on Semitic epigraphy. Père Vincent writes on the topography of the Holy City (the second enclosure). Hackspill offers some learned suggestions on the religious and contemporary aspect of New Testament study.

Father Doyle of the Paulists writes for the current *Independent* an article entitled *What a Catholic Mission Is*. There is a reason here for a Catholic priest writing for a Protestant paper. He does not court personal notoriety, or appeal to Protestant sympathy, but merely instructs them, dissipating certain false notions and prejudices regarding the purpose and methods of the Catholic missionary. One does not often see such contributions in the *Independent*, the common form of articles purporting to come from a Catholic source is that which complains of the hierarchy or criticises Catholic corporate action, or minimizes Catholic doctrine, or in which a Catholic priest bids for applause from "the galleries."

Students interested in the history of that darkened period of the Papacy in which Pope Alexander VI is the central figure, will find some valuable material, new and authentic, in Baron Frederic Corvo's *Chronicles of the House of Borgia*. It is not a book to be recommended for general reading, owing to the fact that it depicts much unjustifiable and unhealthy doing on the part of princes and churchmen, the sifting of which can contribute but little to edification. But the author dissipates, by evidence drawn from contemporary and hitherto unpublished documents, the false popular notions about the poison-cups, daggers, and dungeons which the Pope and Cardinals are supposed to have used to further their ambitious or revengeful schemes. The journalistic prophets of falsehoods against the Papacy and the Church give brief notices of the work as an attempt to "whitewash" Alexander VI.

One of the best arguments to prove that the charge made against the French clergy of having fostered hostility in the persecution of Dreyfus is false, may be found in a paper of Lord Russell of Killowen in Mr. Barry O'Brien's life of him. (P. 318.)

The Memoirs of Cardinal Francis de Bernis, published in 1878 by Masson, have been translated into English by Katherine Prescott Wormeley. They give us a rather favorable view of the courtier Cardinal who was so intricately mixed up with the suppression of the Jesuits under Clement XIV. He was not an enemy of the Jesuit Order, yet he found Choiseul's hatred too formidable a power to cope with and hence he urged the suppression, though not without proposing alternatives which caused him the loss of the French king's confidence. His last years were spent in beneficence and comparative retirement.

Speaking of the late Mr. Aubrey de Vere the London *Spectator* says: "Though his poetry was debarred by a certain austere purity from appealing to a wide circle of readers, it was marked by unfailing nobility of aim, dignity of treatment, and distinction of style. Indeed, it may be said of him that he never harbored an ungentle thought or penned a harsh line." Better such a eulogy than a circulation of unlimited thousands.

One of the most readable and edifying biographies recently published is the Life of Father Henry Schomberg Kerr, by Lady Maxwell Scott. The grandson of the Marquis of Lothian, he had entered the navy service, but, under the influence of his sister Henrietta, a Lady of the Sacred Heart, he became a Jesuit, and after a fruitful life died as superior of the Zambesi mission in South Africa. Longmans, Green & Co. are the publishers.

The December number of the *Ampleforth Journal* (published thrice a year) contains an interesting account by Bishop Hedley of the ancient Abbey of Wearmouth, which must be regarded as one of the principal source-beds of early English literature and art. "Oscott Half a Century Ago" is another article of special attraction in this excellent repertory of Benedictine scholastic activity in England.

The first instalment of the Rev. Horace Mann's *Lives of the Popes of the Early Middle Ages* is to be ready this month. It begins with the Popes under the Lombard rule, Gregory the Great, and covers two centuries. The London firm of Kegan Paul, Trench, Trübner & Co. (B. Herder, St. Louis, Mo.) are the publishers.

Father A. Lehmkuhl, S.J., will shortly have ready a new volume of *Casus Conscientiae*, dealing with the Sacraments. (B. Herder.)

The leading article in the *American Journal of Theology* (quarterly) deals with the prospects of "The Twentieth Century in Theology." Mr. George M. Grant, the author, is convinced that "the Nicene Creed, however well suited to the fourth century, does not express the conception of God which is fundamental to faith." He considers the idea of two natures in the person of Christ as exploded. That settles of course the faith and fate of the Catholic Church, which cannot alter its creed to suit the modern view, but considers that God gave us a revelation to set us right, not to have us correct it. Mr. Grant also wisely suggests "that the great churches of the Reformation will, as preliminary to organic union, rewrite their confessions, adapt them to our own time, and find out the extent of the common ground on which Christians now stand." It seems unfortunate that the light which our Saviour came to bring into this world for the benefit of mankind should have been misleading for centuries, and now require focusing in order to make it suitable guidance for the discordant remnant of so-called Christians who deny the fundamental doctrines of Christianity in refusing to accept the emphatic claim of His personal divinity as it has been believed and taught by all who were His direct and sincere witnesses. The Mohammedan Gnosticism of present New England would have done us better service in such a supposition, than the evangelical truth brought down through the Councils and Fathers of the Catholic Church.

Recent Popular Books.

AT LARGE: E. W. Hornung. *Scribner.* $1.50.

An Australian bush-ranger refrains from robbing a young Englishman who falls into his hands, and also saves his life. Later, the two meet in England, and for some time are rivals in love, a position from which they are extricated by two murders and a series of remarkable coincidences. The tale is amusing but not so well written as many of its author's former books.

BAGSBY'S DAUGHTER: Bessie and Marie Van Voorst. *Harper.* $1.50.

A rising young lawyer, falling in love at first sight of a rich pill manufacturer's daughter, offers marriage and is accepted. A series of accidents causes her to sail for Europe without him, and another series gives him the appearance of unfaithfulness. The misunderstandings are cleverly managed. The explanations and reconciliation are unnatural, but some of the situations are novel and clever. The evil woman is so frankly audacious that the book is hardly suitable for a girl's reading.

BARBAROSSA: Cyrus Townsend Brady. *Century.* $1.50.

An historical romance, in which Barbarossa, Countess Matilda and Hohenzollern are the chief personages and the possibilities of adventure are severely taxed. The author's style and turn of thought are modern in their essence, and his art is not quite equal to the task of vivifying the past.

BRITAIN AND THE BRITISH SEAS: H. J. McKinder. *Appleton.* $2.00 *net.*

The first of a series describing great natural regions, and tracing the physical formative influences, geological, aqueous, and meteorological, under which the race now inhabiting Britain has been developed, and the industrial, economic, and strategic conditions bearing upon its future. It is philosophical geography of a type new in English, and closely approximating to the ideal of Ritter, and the volume has many illustrative maps and charts.

CATSPAW: B. M. Croker. *Lippincott.* $1.00.

The heroine, a dowerless orphan, goes out to India to marry a man whom she has not seen since his boyhood, and discovering that she has been wooed with his cousin's photograph and another man's love letters, refuses him. She tries life as a lady's companion and as manager of an Eurasian boarding-house until the cousin, having become a British resident at a petty court, has her appointed governess to the royal children, in which position she straightway becomes entangled in plots and having saved him from assassination marries him. The Eurasian passages are lively, but the court scenes are unnatural and melodramatic.

CLOISTERING OF URSULA: Clinton Scollard. *Page.* $1.50.

A mediæval story, in which a family feud and covetous desire for a fair

maiden's fortune lead to much bloodshed. All the active characters but one are male, and the intrigues are purely political. As for Ursula's cloistering, it is of the same species as the snakes in Iceland. The story is very carefully written, and the author succeeds in giving both the atmosphere and color of the time, his characters treating their duels and other combats as coolly as Collins.

COLONIALS: Allen French. *Doubleday.* $1.50.

A disputed inheritance and two lovers' rivalry divide the interest with the Boston tea-party, Lexington and Concord fights, and an engagement for which the author invents the names of "Charlestown battle," and "Bunker's Hill," meaning the battle of Bunker Hill. Small errors of this species dot the pages of the story, which is related in a strangely lifeless manner.

CORRESPONDENT'S MANUAL: W. E. Hickox. *Lee.* $1.00.

The author aims at warning young stenographers and typewriters against the errors into which they are most likely to fall, giving them lists of words often misspelled, and liable to be interchanged. The book is the product of a long term of teaching, and has been tested by use while in typewritten form, and as the first of its species, it is equally important to teachers and to the self-taught.

ELF ERRANT: Moira MacNeill. *Macmillan.* $1.25.

A fairy story for children, a gently satirical allegory for their elders, with a very good style, but occasional undue severity towards superficial faults of the Irish temperament. It is accompanied by clever pictures well-matched to the story in style.

EPISODE ON A DESERT ISLAND: Anonymous. *Dutton.* $1.25.

A collection of letters confessing the writer's passing regard for a commonplace and rather ill-bred man, who makes himself useful when a shipwreck leaves him and her on an uninhabited island. The author justly makes her absurd.

FOOL'S YEAR: E. H. Cooper. *Appleton.* $1.00.

The author writes with conviction that all American sportsmen are corrupt and given to bribery, and that honesty and honor are English monopolies. His hero, a very poor but wonderfully upright youth of good family, succumbs to the temptation of a bribe of a million offered by a rich American trying to force his way into the best English society, and his consequent experience is very bitter. The heroine, a beautiful English woman living in open war with her husband, upon whom she has the worst possible influence, and using the worst means to add the hero to her list of conquests, is well and carefully drawn, but not an object for youthful contemplation. The American girls speak a dialect occasionally found among untaught rustics, but unknown to city-bred Americans, but their goodness is powerful enough to neutralize the English woman's evil power, and also their father's evil intentions.

HOUSE WITH THE GREEN SHUTTERS: George Douglas. *Doubleday.* $1.50.

A brutal man, able in a narrow way, and married to a woman of extraordinary stupidity, has a dull son to whom he insists upon giving a university education. The boy becomes vicious, is disgraced, and ends by killing his father and then committing suicide. He leaves enough poison to make self-murder possible for his mother, dying of an incurable disease, and to his sister, afraid to face the world. The minor characters are coarse and malicious, and promote the final horrors by their scandal-mongering.

IF I WERE A KING: Justin Huntley McCarthy. *Russell.* $1.50.

François Villon is the hero, and the opening chapters describe his companions and friends with unnecessary frankness, but the King's fancy for giving the poet the place of Grand Constable for a week and then hanging him, leads to interesting complications cleverly managed. Oliver le Dain, and Tristan l'Hermite, are introduced as the King's favorite coun-

sellors, and Louis himself is made a shabby Haroun, capable of the pettiest meanness. The story betrays its adaptation from a play, but is well written and accompanied with pictures, some good and some grotesquely bad.

IN A FOG: Richard Harding Davis. *Russell.* $1.50.

A little company of gentlemen casually gathered in a club, each quite unknown to all the others. They join to invent the story of a mysterious murder and present various aspects of it to a member of Parliament whom one man wishes to prevent from speaking that evening. The stories are good in themselves, but the final surprise brings their ingenuity into strong relief and the whole book is one of its author's best productions.

IN THE FOOTPRINTS OF THE PADRES: Charles Warren Stoddard. *Robertson.* $1.50 *net.*

A group of seven descriptive sketches, some reminiscent of elder days on the Pacific Coast, one historical, and some contemporary. They are admirably written, and abound in evidences of conscientious respect for the English language, coupled with keen vision for the picturesque.

ONE OF HIS SONS: Anna Katharine Green Rohlfs. *Putnam.* $1.50.

A mercenary servant poisons his master, and in the consequent inquiry four innocent persons are in turn suspected, and many curious and ugly details of a strange family history are laid bare. The secret of the crime is preserved very ingeniously.

PRINCESS PUCK: Ulna Silberrad. *Doubleday.* $1.50.

A long story chiefly of nothings, and extremely solemn in its humorous passages.

ROSA AMOROSA: George Egerton. (Mrs. Egerton Clairmonte.) *Brentano's.* $1.50.

A series of love letters written with nice care to avoid actual immorality even while presenting much which young readers will mistake for it. It is less openly offensive than the author's former books, but it is not one whit more indicative of good intention.

SECOND GENERATION: James Weber Linn. *Macmillan.* $1.50.

The central character is a coarse and unscrupulous political moneygetter who, in a moment of anger, causes the death of an editor. Years later the editor's son, having become a journalist, brings the murderer to defeat and political disgrace, but in doing so causes himself to seem guilty of stealing, and is sentenced to the State's Prison. His editor-in-chief, who has been eager in pursuing the politician, is insane for a time, but for love of them their associates continue the pursuit and the man dies defeated, but by his death permanently separates his daughter from the journalist in spite of their love for one another. The book differs from other novels concerning "bosses" in presenting the bad effect wrought upon decent men by the effort to destroy an evil creature.

STANDINGS: John Strange Winter.

The story of two sisters, the younger of whom wins the love of her sister's betrothed, marries him and then elopes for purely mercenary reasons. When he has divorced her, he proposes marriage to the elder sister, explaining to her that English law does not forbid alliance with a divorced wife's sister, and she accepts him.

STRENGTH OF THE WEAK: Chauncy C. Hotchkiss. *Appleton.* $1.50.

A tale of French Canada, beginning in 1755, and telling of the struggle between the English holder of a French title and a fraudulent claimant. The author has a fancy for attributing disagreements and ill-feeling purely racial in origin to difference in religion; but his plot is well woven and his chief characters are striking. The touch of anti-Catholicism injures what would otherwise be a very entertaining story.

SWISS LIFE IN TOWN AND COUNTRY: Alfred T. Story. *Putnam.* $1.20 *net.*

This manual contains well-illustrated descriptions of the Swiss race, and its various social, political, and economic divisions, the military system, and the amusements and occupations of the people. It makes no pretence at being philosophical and can be understood by young readers. Its author appears to believe that "Old Catholics" constitute part of the Church, for which reason the book is not fitted for use in school reference libraries, but seems perfectly impartial.

USURPER: W. J. Locke. *Lane.* $1.50.

A fabulously wealthy philanthropist stands for a seat in Parliament and gives his enemies opportunity to assert that he wears an assumed name. He admits the charge, welcoming it as releasing him from dread of its coming, and the book ends happily. The second hero is a young poet with complicated affairs of the heart, and the heroine is a peer's daughter, and by means of them the author makes opportunity to describe a certain circle of London society, half literary, half charitable.

WISTONS: Miles Amber. *Scribner.* $1.50.

A landed proprietor, having ruined his life by marriage with a gypsy, secludes himself, avoids her and leaves their two girls to be reared by an ignorant servant. In consequence, one of them, almost on sight, marries an elegant and fastidious writer of novels too fine for publication, and discovers that his ideas are so broad that the Ten Commandments and the law of England are sometimes out of sight for months. Fortunately, he dies and his widow lives to rear the infant presented to her by her sister after a brief sojourn in London. Given the premises the story is possible and the unpublishing novelist is a wonderfully good study of an ugly type, but the author adds a few paragraphs giving the whole book an immoral and impious turn by questioning the wisdom of the Deity in not managing matters better.

YEAR ONE: John Bloundelle Burton. *Dodd.* $1.50.

The heroine, a prescribed marquise, assumes the guise and imitates the behavior of the worst class of Parisian women in order to save the life and secure the liberty of an English naval lieutenant captured while aiding her to escape to England, and the two see the massacre of the Swiss guard, and those in La Force and L'Abbaye. The author follows the latest authorities in regard to these incidents, and refrains from attempts to excuse the atrocities of the time. That the heroine's husband happens to be living spoils the story, although he is a low-born brute whom she was forced to marry and by whose plotting she has been arrested and condemned to death. More than one of the characters is sufficiently muscular to carry two hundred pounds' weight of gold concealed about his person, and the novel's claim to favor rests solely upon its description of horrors.

Books Received.

SACRED SCRIPTURE.

PSALMS XC—CL. Books IV and V of the Cambridge Bible for Schools and Colleges. By. A. F. Kirkpatrick, D.D., General Editor for the Old Testament. With Introduction and Notes. Cambridge: At the University Press; New York: The Macmillan Company. 1901. Pp. cxii—547 to 847. Price, 2s. *net.*

THEOLOGY.

DOCTRINA XII APOSTOLORUM. Die Apostellehre in der Liturgie der katholischen Kirche. Von Joseph Schlecht, Ph.D., D.D. Mit 3 Tafeln in Lichtdruck. Freiburg im Breisgau, St. Louis: B. Herder. 1901. Pp. xvi—144. Preis, $1.80 *net.*

ORDO BAPTISMI PARVULORUM. Cum approbatione. New York and Cincinnati: Fr. Pustet & Co. 1902. Pp. 16. Price, $0.25 *net.*

SERMONS ON THE STATIONS OF THE CROSS. The "Our Father," "Hail Mary," etc. Dedicated to the memory of the Early Catholic Missionaries of the United States, by the Author, the Rev. B. J. Roycroft, A.M. New York and Cincinnati: Fr. Pustet & Co. 1902. Pp. 339. Price, $1.50 *net.*

PHILOSOPHY.

THROUGH SCIENCE TO FAITH. By Newman Smyth. New York: Charles Scribner's Sons. 1902. Pp. x—282. Price, $1.50.

THE THEORY OF PROSPERITY. By Simon N. Patten, Ph.D., Professor of Political Economy, Wharton School of Finance and Economy, University of Pennsylvania. New York: The Macmillan Company; London: Macmillan & Co. 1902. Pp. ix—237.

LE VOCABULAIRE PHILOSOPHIQUE. Par Edmond Goblot, Docteur ès Lettres, Chargé de cours à l'Université de Caen. Paris: Librairie Armand Colin. 1901. Pp. xiii—489.

THE CARE OF DESTITUTE, NEGLECTED, AND DELINQUENT CHILDREN. By Homer Folks. (American Philanthropy of the Nineteenth Century Series. Edited by Herbert S. Brown.) New York: The Macmillan Company; London: Macmillan & Co. 1902. Pp. ix—251. Price, $1.00.

THE FIELD OF ETHICS. Being the William Belden Noble Lectures for 1899. By George Herbert Palmer, Alford Professor of Philosophy in Harvard University. Boston and New York: Houghton, Mifflin & Co. 1901. Pp. v—213. Price, $1.10 *net.*

PRINCIPLES OF WESTERN CIVILIZATION. Being the First Volume of a System of Evolutionary Philosophy. By Benjamin Kidd, author of *Social Evolution*, *The Control of the Tropics*, etc. New York: The Macmillan Company. 1902. Pp. 538. Price, $2.00.